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## TITLE 14—CIVIL AVIATION

### Chapter I—Civil Aeronautics Board

[Civil Air Regs. Amdt. 4b-4]

#### PART 4b—AIRPLANE AIRWORTHINESS; TRANSPORT CATEGORIES

##### EMERGENCY EVACUATION PROVISIONS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 15th day of November 1951.

The present regulations for doors and emergency exits on transport category airplanes as contained in §§ 4b.356 and 4b.362 of the Civil Air Regulations were promulgated for airplanes of a relatively smaller size than either many of those presently in operation or a majority of those which it is contemplated will be constructed in the future. The rapid increase in size of transport airplanes, the larger number of passengers carried in each, and the increased seriousness of crash fires due to greater fuel capacity, all indicate the need for a revision of these requirements.

It has been established by evacuation demonstrations that two large openings, one on each side of the aft portion of the fuselage, provide a means for more rapid and safe evacuation of passengers than any other type of exit presently in use. Accordingly, this amendment tends to require more and larger floor-level exits located well aft in the fuselage. Additional exits have also been specified to allow rapid evacuation of all passengers from either side of the airplane in the event that fire blocks the use of one side.

The question of crew exits is still under study, and more specific proposals are expected to be published in this regard when present studies have been completed. The Board is cognizant of the fact that there may be small airplanes certificated in accordance with Part 4b which are of such small size that it would be impracticable if not impossible to provide separate flight crew exits. In such cases separate exits will not be required provided that the Administrator finds them to be unnecessary in the particular model airplane.

Section 4b.356 (b) has also been amended in certain respects. The newly inserted first sentence corresponds with new § 4b.362 (e) (4), and is merely declaratory of the present practice of manufacturers. The remainder of the

paragraph contains no new provisions; however, the requirement of a single handle to operate the door has been deleted. It has been brought to the attention of the Board that interpretations of the present rule do not allow any separate safetying devices and that an incipient hazardous condition may be created in certain situations. Although this change is needed to permit operators in their discretion to provide additional safety devices against inadvertent opening of doors in flight, it is of a minor nature and imposes no additional burden on any person.

With the exception of the amendment of § 4b.356 (b), interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented. With respect to the amendment of § 4b.356 (b) the Board finds for reasons previously stated that notice and public procedure are unnecessary.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 4b of the Civil Air Regulations (14 CFR Part 4b, as amended) effective December 20, 1951.

1. By amending § 4b.356 (b) to read as follows:

§ 4b.356 *Doors.* \* \* \*

(b) Means shall be provided for locking each external door and for safeguarding against opening in flight either inadvertently by persons or as a result of mechanical failure. It shall be possible to open external doors from either the inside or the outside even though persons may be crowding against the door from the inside. The means of opening shall be simple and obvious and shall be so arranged and marked that it can be readily located and operated even in darkness.

2. By adding a new § 4b.356 (e) to read as follows:

§ 4b.356 *Doors.* \* \* \*

(e) Means shall be provided for a direct visual inspection of the locking mechanism by crew members to ascertain whether all external doors, including passenger, crew, service, and cargo doors, are fully locked (see also § 4b.362 (e) (5) for emergency exits). In addition, visual means shall be provided to signal to appropriate crew members that

(Continued on p. 11761)

## CONTENTS

	Page
<b>Agriculture Department</b>	
See Production and Marketing Administration.	
<b>Alien Property, Office of</b>	
Notices:	
Vesting orders, etc.:	
Ajioka, Tokio.....	11793
Becker, Gottfried, et al.....	11793
I. G. Farbenindustrie Aktien- gesellschaft.....	11793
Laenderbank Wien Aktien- gesellschaft.....	11792
Mueller, Mrs. Alfred, and Dr. Hans von Flotow.....	11792
Rocard, Yves Andre.....	11793
Tachibana, Itaru.....	11794
Vancoppenolle, Jean Leon.....	11793
<b>Army Department</b>	
See also Engineers Corps.	
Rules and regulations:	
Claims against the U. S.; pay- ment for arrest and delivery.....	11768
<b>Civil Aeronautics Administra- tion</b>	
Rules and regulations:	
Standard instrument approach procedures; instrument land- ing.....	11762
<b>Civil Aeronautics Board</b>	
Proposed rule making:	
Elimination of requirements for mandatory certification in the transport category.....	11787
Rules and regulations:	
Airplane airworthiness, trans- port categories; emergency evacuation provisions.....	11759
<b>Commerce Department</b>	
See Civil Aeronautics Administra- tion; International Trade, Office of; National Production Au- thority.	
<b>Defense Department</b>	
See Army Department; Engineers Corps.	
<b>Defense Mobilization, Office of</b>	
Notices:	
Finding and determination of critical defense housing areas under Defense Housing and Community Facilities and Services Act of 1951.....	11788
<b>Economic Stabilization Agency</b>	
See Price Stabilization, Office of; Wage Stabilization Board.	





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### CONTENTS—Continued

<b>Engineers Corps</b>	Page
Rules and regulations:	
Shadehill Dam and Reservoir, Grand River, Perkins County, South Dakota; flood control regulations.....	11773
<b>Executive Office of the President</b>	
See Defense Mobilization, Office of.	
<b>Federal Power Commission</b>	
Notices:	
Appalachian Electric Power Co.; hearing .....	11788
Rules and regulations:	
Statements and reports (schedules):	
Form and filing of annual reports, Form No. 2.....	11767
General information schedules of annual report form for electric utilities and licensees, Form No. 1.....	11766
<b>Federal Security Agency</b>	
See Food and Drug Administration.	

### CONTENTS—Continued

<b>Food and Drug Administration</b>	Page
Proposed rule making:	
Oleomargarine, definition and standard of identity; extending time for filing exceptions to tentative order.....	11787
<b>Foreign and Domestic Commerce Bureau</b>	
See International Trade, Office of.	
<b>Housing and Home Finance Agency</b>	
Notices:	
Organization description, including delegations of final authority; Director, Division of Slum Clearance and Urban Development, delegation of authority with respect to contracts for financial assistance.....	11788
<b>Indian Affairs Bureau</b>	
Rules and regulations:	
Crow Indian Irrigation Project, construction assessments; public notice.....	11765
Crow Irrigation Project, Mont., Willow Creek Storage Reservoir, partial construction assessments .....	11765
<b>Interior Department</b>	
See also Indian Affairs Bureau.	
Delegation of authority to the Secretary (see National Production Authority).	
Notices:	
Transfer of secretarial functions relating to water and power development to the Under Secretary.....	11788
<b>International Trade, Office of</b>	
Rules and regulations:	
Licenses:	
General .....	11763
Project.....	11763
Licensing policies and related special provisions.....	11763
Priority ratings and supply assistance assigned by OIT.....	11763
<b>Interstate Commerce Commission</b>	
Notices:	
Applications for relief:	
Alcohol and related articles to Madison, Ind.....	11789
Brick from Hebron, N. Dak., to Iowa, Minnesota and South Dakota.....	11789
Ore, zirconium, from Pennsylvania to Nashville, Tenn.....	11789
Tires, rubber, from Conshohocken to Elba, Pa.....	11789
Rules and regulations:	
Commercial zones; commercial zones and terminal areas.....	11786
Explosives and other dangerous articles; miscellaneous amendments.....	11774
<b>Justice Department</b>	
See Alien Property, Office of.	
<b>National Production Authority</b>	
Notices:	
Secretary of the Interior; delegation of authority to administer NPA Order M-87.....	11788
Rules and regulations:	
Television, color (M-90).....	11773

### CONTENTS—Continued

<b>Price Stabilization, Office of</b>	Page
Notices:	
Region XI, redelegation of authority; correction.....	11788
Rules and regulations:	
Automobiles, new passenger; increase in excise tax, clarification (CPR 1).....	11769
Exemption of certain food and restaurant commodities; natural or distilled water (GOR 7) .....	11770
Gasolines, naphthas, fuel oils and liquefied petroleum products, natural gas, petroleum gas, casing-head gas and refinery gas; sales of certain petroleum products in Greater Boston area (CPR 17, SR 4) ..	11769
General ceiling price regulation; revision of exemption covering miscellaneous poultry and rabbits (GCPR).....	11770
<b>Production and Marketing Administration</b>	
Rules and regulations:	
Beans, U. S. Standards, grade requirements; correction.....	11763
<b>Securities and Exchange Commission</b>	
Notices:	
Hearings, etc.:	
American Gas and Electric Co.....	11791
Columbia Gas System, Inc.....	11790
Equity Corp. et al.....	11791
International Minerals & Chemical Corp.....	11790
Republic Petroleum Co.....	11790
Los Angeles Stock Exchange; proposal to declare effective a plan for disposal of certain documents .....	11790
<b>Veterans' Administration</b>	
Rules and regulations:	
Dependents and beneficiaries claims; miscellaneous amendments .....	11774
Veterans claims; presumption of service-connection for multiple sclerosis.....	11774
<b>Wage Stabilization Board</b>	
Rules and regulations:	
Bonuses; interpretations.....	11770
<b>CODIFICATION GUIDE</b>	
A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.	
<b>Title 7</b>	Page
Chapter I:	
Part 68.....	11763
<b>Title 14</b>	
Chapter I:	
Part 4b.....	11759
Part 40 (proposed).....	11787
Part 41 (proposed).....	11787
Part 42 (proposed).....	11787
Chapter II:	
Part 609.....	11762
<b>Title 15</b>	
Chapter III:	
Part 371.....	11763



## CODIFICATION GUIDE—Con.

Title 15—Continued	Page
Chapter III—Continued	
Part 373.....	11763
Part 374.....	11763
Part 398.....	11763
Title 18	
Chapter I:	
Part 141.....	11766
Part 260.....	11767
Title 21	
Chapter I:	
Part 45 (proposed).....	11787
Title 25	
Chapter I:	
Part 94.....	11765
Part 148.....	11765
Title 32	
Chapter V:	
Part 536.....	11768
Chapter VII:	
Part 836 (see Part 536).....	11768
Title 32A	
Chapter III (OPS):	
CPR 1.....	11769
CPR 17, SR 4.....	11769
GCPR.....	11770
GOR 7.....	11770
Chapter IV (SSB and WSB):	
GWR 14, Interpretations.....	11770
Chapter VI (NPA):	
M-90.....	11773
Title 33	
Chapter II:	
Part 208.....	11773
Title 38	
Chapter I:	
Part 3.....	11774
Part 4.....	11774
Title 49	
Chapter I:	
Part 72.....	11774
Part 73.....	11775
Part 74.....	11780
Part 75.....	11781
Part 77.....	11781
Part 78.....	11781
Part 170.....	11786

all normally used external doors are closed and in the fully locked position.

3. By amending § 4b.362 to read as follows:

§ 4b.362 *Emergency evacuation.* Crew and passenger areas shall be provided with emergency evacuation means to permit rapid egress in the event of crash landings, whether with the landing gear extended or retracted, taking account of the possibility of the airplane being on fire. The provisions of this section shall apply to airplanes where the major portion of the passenger area is aft of the powerplant and the fuel tanks. In airplanes where the major portion of the passenger area is forward of the powerplant and the fuel tanks, or in airplanes of unconventional design where the emergency exit locations prescribed in paragraph (b) of this section would be inconsistent with safe and rapid egress of passengers, variations of emergency exit locations shall be allowed if found appropriate by the Administrator. Passenger entrance, crew, and service

doors shall be considered as emergency exits if they meet the applicable requirements of this section.

(a) *Flight crew emergency exits.* Flight crew emergency exits shall be located in the flight crew area on both sides of the airplane or as a top hatch to provide for rapid evacuation. Such exits shall not be required on small airplanes where the Administrator finds that the proximity of passenger emergency exits to the flight crew area renders them convenient and readily accessible to the flight crew.

(b) *Passenger emergency exits; type and location.* The types of exits and their location shall be as follows:

(1) Type I; a rectangular opening of not less than 24 inches wide by 48 inches high, with corner radii not greater than 4 inches, located as far aft in the passenger area as practicable in the side of the fuselage at floor level.

(2) Type II; same as Type I (subparagraph (1) of this paragraph) except that the opening is not less than 20 inches wide by 44 inches high.

(3) Type III; a rectangular opening of not less than 20 inches wide by 36 inches high, with corner radii not greater than 4 inches, located as far aft in the passenger area as practicable in the side of the fuselage.

(4) Type IV; a rectangular opening of not less than 19 inches wide by 26 inches high, with corner radii not greater than 4 inches, located over the wing in the side of the fuselage with a step-up inside the airplane of not more than 29 inches and a step-down outside the airplane of not more than 36 inches.

NOTE: Larger openings than those specified in paragraph (b) of this section will be acceptable, whether or not of rectangular shape, provided the specified rectangular openings can be inscribed therein, and further provided that the base of the opening affords a flat surface not less than the width specified.

(c) *Passenger emergency exits; number required.* Emergency exits of type and location prescribed in paragraph (b) of this section shall be accessible to the passengers and shall be provided on each side of the fuselage in accordance with the following:

Passenger seating capacity	Emergency exits required on each side of fuselage			
	Type I	Type II	Type III	Type IV
1 to 19 inclusive.....			1	
20 to 39 inclusive.....		1		1
40 to 69 inclusive.....	1			1
70 to 99 inclusive.....	1	1		2
100 to 139 inclusive.....	2			2

For airplanes with a passenger capacity of over 139 there shall be, in addition to the emergency exits prescribed for a passenger seating capacity of 100 to 139, inclusive, on each side of the fuselage, one Type I emergency exit for additional passengers up to 50, these exits to be located at such strategic points as would contribute most to the safe evacuation of passengers.

NOTE: Although similar exits and their locations are prescribed for each side of the fuselage, it is not the intent of this regulation to require that the exits necessarily be at locations diametrically opposite each other.

(d) *Ditching emergency exits.* Airplanes certificated in accordance with the ditching provisions of § 4b.261 shall be shown to have, on each side of the fuselage, not less than one emergency exit located above the water line for every 35 passengers: *Provided*, That for the purposes of this paragraph an easily accessible overhead hatch of not less than the clear dimensions of Type III emergency exits (see paragraph (b) (3) of this section) shall be considered equivalent to one emergency exit on each side.

(e) *Emergency exit arrangement.* (1) Emergency exits shall consist of movable doors or hatches in the external walls of the fuselage and shall provide an unobstructed opening to the outside.

(2) All emergency exits shall be openable from the inside and from the outside.

(3) The means of opening emergency exits shall be simple and obvious and shall not require exceptional effort of a person opening them.

(4) Means shall be provided for locking each emergency exit and for safeguarding against opening in flight either inadvertently by persons or as a result of mechanical failure.

(5) Means shall be provided for a direct visual inspection of the locking mechanism by crew members to ascertain whether all emergency exits are fully locked.

(6) Provision shall be made to minimize the possibility of jamming of emergency exits as a result of fuselage deformation in a minor crash landing.

(7) For all landplane emergency exits other than Type IV (see paragraph (b) of this section) which are more than 6 feet from the ground with the airplane on the ground and the landing gear extended, means shall be provided to assist the occupants in descending to the ground.

(8) The proper functioning of emergency exit installations shall be demonstrated by test.

(f) *Emergency exit marking.* (1) All emergency exits, their means of access, and their means of opening shall be marked conspicuously. The identity and location of emergency exits shall be recognizable from a distance equal to the width of the cabin. The location of the emergency exit operating handle and the instructions for opening shall be marked on or adjacent to the emergency exit and shall be readable from a distance of 30 inches.

(2) A source or sources of light, with an energy supply independent of the main lighting system, shall be installed to illuminate all emergency exit markings. Such lights shall be designed to function automatically in a crash landing and shall also be operable manually.

(3) All emergency exits and their means of opening shall be marked on the outside of the airplane for guidance of rescue personnel.

(g) *Emergency exit access.* Passageways between individual compartments of the passenger area and passageways leading to Type I and Type II emergency exits (see paragraph (b) of this section) shall be unobstructed and shall be not less than 20 inches wide. Adja-



cent to emergency exits where assisting means are required by paragraph (e) (7) of this section, there shall be sufficient additional space to allow a crew member to assist in the evacuation of passengers without reduction in the unobstructed width of the passageway to such exit.

(h) *Width of main aisle.* The main passenger aisle at any point between seats shall not be less than 15 inches wide up to a height above the floor of

# Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amtdt. 4]

## PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

### INSTRUMENT LANDING

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, Secretary.

[F. R. Doc. 51-13917; Filed, Nov. 20, 1951; 8:53 a. m.]

### INSTRUMENT LANDING SYSTEM PROCEDURES

ILS location and range from which initial approach to ILS shall be made	Transition to ILS				Final ILS approach course, degrees inbound; outbound	Procedure turn minimum on ILS	Minimum altitude at guide path interception (ft.)	Guide path altitude over markers (ft.)		Distance from markers to approach end of runway (mi.)		Field elevation (ft.)	Minimums		If visual contact not established at authorized landing minimums, or if landing not accomplished, remarks
	From—	To—	Magnetic course (deg.)	Distance (mi.)	Minimum altitude (ft.)			Outer	Middle	Outer	Middle		Ceiling (ft.)	Visibility (mi.)	
AMARILLO, TEX. Amarillo Air Terminal Freq. 110.3 mc Ident. AMA	Amarillo LF Range	SW crs ILS	179	3.4	5,000	SW 29 209	5,000	4,920	3,832	4.68	0.64	3,604	R (R) S* A T	1.5 1.0 3/4 2.0 1.0	Climb to 4,900' on crs of 29° within 25 mi., or alternate procedure (when directed by ATC), turn right and climb to 4,700' on E crs of Amarillo range. *Runway 3.
	Amarillo VOR	Outer marker	209	10.5	5,000										
	Amarillo FM	SW crs ILS	207	2.5	5,000										
	Int. SW crs ILS & S crs Amarillo	Outer marker	209	0.8	5,000										
	Soney FM	Outer marker	97	11.0	5,000										
COLORADO SPRINGS, COLO. Peterson Field Freq. 109.9 mc Ident. COS	Colorado Springs LF Range	LOM	166	9.8	7,500	S 346 166	7,200	7,116	6,270	4.33	.66	6,172	R (R) S* S# A T	1.5 2.0 2.0 3/4 2.0 1.0	Climb to 8,000' on E crs of Colorado Springs LF range within 25 mi. Note: No approach lights available. Caution: 7,100' msl radio tower, 3.5 mi. N of Colorado Springs range, 7,710' msl terrain, 13.5 mi. N of range. *Night minimums. #Runway 35.
	Fountain FM	LOM	329	3.5	7,200										
PHOENIX, ARIZ. Phoenix Sky Harbor	(PROCEDURE CANCELLED)														
RALEIGH, N. C. Raleigh-Durham Airport Freq. 110.3 mc Ident. RDU	Int. NW crs Raleigh & SW crs ILS	Outer marker	228	4.8	1,500	SW 48 228	1,500	1,450	640	4.43	.62	435	R (R) S* A T	1.5 1.0 3/4 2.0 1.0	Climb to 1,600' on NE crs of Raleigh or alternate procedure (when directed by ATC), turn left and climb to 2,100' on NW crs of Raleigh within 25 miles. *Runway 5.
	Raleigh LF Range	Outer marker	262	7.7	2,000										
READING, PA. General Spatz Airport Freq. 109.5 mc Ident. RDG	Int. SW crs Allentown & S crs ILS	Outer marker	181	3.8	2,500	S 181	2,100	1,540	535	4.50	.59	343	R (R) S* A T#	2.0 2.0 2.0 1.0 1,000 (BCOB) 300	Climb to 2,500' on crs of 360° from LOM within 10 mi. *Runway 36. #Take-off on runways 18 and 13, make right turn as soon as practicable to avoid 1,229' mountain and tower located 3.6 miles SE of airport.

(PROCEDURE CANCELLED)

SEATTLE WASH.  
Seattle-Tacoma International Airport.  
(Procedure No. 2—Using Back Course ILS Localizer.)

adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required. Part 609 is amended as follows:

The instrument landing system procedures prescribed in § 609.11 are amended to read in part:



INSTRUMENT LANDING SYSTEM PROCEDURES—Continued

ILS location and range from which initial approach to ILS shall be made	Transition to ILS			Final ILS approach course, degrees inbound; out-bound	Procedure turn minimum on ILS	Minimum altitude at guide path interception (ft.)	Guide path altitude over markers (ft.)		Distance from markers to approach end of runway (mi.)		Field elevation (ft.)		Minimums		If visual contact not established at authorized landing minimums, or if landing not accomplished, remarks
	From—	To—	Magnetic course (deg.)	Distance (mi.)	Minimum altitude (ft.)		Outer	Middle	Outer	Middle			Ceiling (ft.)	Visibility (mi.)	
TOPEKA, KANS. Philip Billard Airport Freq. 109.5 mc Ident. TOP	Int. SE crs ILS & SW crs Kansas City	MHW at OM	305	34.8	2,400	2,100—W side NW 125 305	2,065	1,000	4.50	0.65	880	B (R) S* A T	600 500 400 300	1.5 1.0 3/4 2.0 1.0	Climb to 2,500' on SE crs ILS; or alternate procedure (when directed by ATIS), climb to 2,400' on NE crs Forbes LF range. *Runway 12.
	Int. BENG. 252° M. to Salina VOR & NW crs. Forbes LF	MHW at OM	71	16	2,400										
	Forbes LF Range	MHW at OM	357	15	2,400										

The note following paragraph (b) is amended by adding thereto the following paragraph:

See § 370.9 of this subchapter regarding shipments moving in transit via the United States without unloading from the carrier.

This part of the amendment shall become effective as of November 8, 1951.

2. Section 373.2 *Special provisions for iron and steel* is amended by adding thereto a new paragraph (e) to read as follows:

(e) *CMP carbon steel, including steel plates and structurals, but not including tinplate.* Applications submitted for licenses to export carbon steel, including steel plates and structurals, but not including tinplate, will be considered for approval by the Office of International Trade only where the end use is:

(1) Essential to direct military production of the United States or of a friendly foreign nation; or

(2) Essential to the production abroad of strategic materials for shipment to the United States or to a friendly nation; or

(3) Essential to direct defense supporting industry, including the facilities required for the production described in either of the two first-named criteria.

Applications that meet the above licensing criteria, but cannot be licensed from present quota, will be returned to the applicant without action, for resubmission at a later date. (See § 373.51 for submission time schedules.)

This part of the amendment shall become effective as of October 23, 1951.

# TITLE 15—COMMERCE AND FOREIGN TRADE

## Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade  
[5th Gen. Rev. of Export Regs., Amdt. 82.]

### PART 371—GENERAL LICENSES

PART 373—LICENSING POLICIES AND REGULATED SPECIAL PROVISIONS

### PART 374—PROJECT LICENSES

PART 398—PRIORITY RATINGS AND SUPPLY ASSISTANCE ASSIGNED BY OIT  
MISCELLANEOUS AMENDMENTS

1. Section 371.9 *General in-transit license GIT*, paragraph (b) *Special provisions*, is amended in the following particulars:

This amendment was published in Current Export Bulletin No. 646, dated November 8, 1951, except as follows: The amendment to paragraph (e), § 398.5, regarding Controlled Materials was published in Current Export Bulletin No. 645, dated November 8, 1951. The amendment to § 373.51 regarding Time schedules for submission of license applications to export coal and related fuels was published in Current Export Bulletin No. 643, dated October 11, 1951. The amendment to paragraph (b), § 371.9, was published in the reprint pages of the Comprehensive Export Schedule, dated November 8, 1951.

# TITLE 7—AGRICULTURE

## Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 68—REGULATION AND STANDARDS FOR INSPECTION AND CERTIFICATION OF CERTAIN AGRICULTURAL COMMODITIES AND PRODUCTS THEREOF

SUBPART B—UNITED STATES STANDARDS FOR BEANS

### GRADE REQUIREMENTS Correction

In F. R. Doc. 51-13484, appearing at page 11327 of the issue for Thursday, November 8, 1951, the following change should be made:

In the fifth column of the table in § 68.103, the figure ".02" under "Stone" should be ".2".

These procedures shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL]  
F. B. LEE,  
Acting Administrator  
of Civil Aeronautics.

[F. R. Doc. 51-13861; Filed, Nov. 20, 1951; 8:45 a. m.]

3. Section 373.7 *Special provisions for machinery and parts*, paragraph (d) *Automotive replacement parts*, subparagraph (3), is amended in the following particulars:

Subdivision (1) is amended to read as follows:

(i) A statement containing the following information:

(a) The total dollar value of all the commodities (in the aggregate) listed in subparagraph (1) of this paragraph, exported by the applicant to the named ultimate consignee (or purchaser, if different) during the years 1950 and 1951; if none, so state.

(b) Whether a letter of credit has been established for the proposed shipment; if so, give the number, dollar value, expiration date, and name and address of person by whom established.

If no letter of credit has been established, state what method of financing will be used for the proposed shipment.

(c) The unshipped balance on each outstanding export license, by OIT case number, for any of the automotive replacement parts listed in subparagraph (1) of this paragraph to the country of destination shown on the application.

This part of the amendment shall become effective as of November 8, 1951.

4. Section 373.51 *Supplement 1: Time schedules for submission of applications for licenses to export certain Postline List commodities* is amended by adding thereto the following time schedules for coal and related fuels for the Fourth Quarter 1951 and the First Quarter 1952:



Dept. of Commerce Schedule B No.	Commodity	Submission dates	
		Fourth quarter 1951	First quarter 1952
	<i>Coal and related fuels</i>		
500100	Coal, anthracite.....	{ On or before Oct. 26, 1951, if export will be made during November 1951; on or before Nov. 20, 1951, if export will be made during December 1951.	{ On or before the 20th of the month preceding month export will be made.
500200	Coal, bituminous, subbituminous, and lignite.....		
500400	Coke (except petroleum coke).....		

Also, the following time schedules for the Second Quarter 1952:

TIME SCHEDULES FOR SUBMISSION OF APPLICATIONS FOR LICENSES TO EXPORT CERTAIN POSITIVE LIST COMMODITIES<sup>1</sup>

Second Quarter 1952

Dept. of Commerce Schedule B No.	Commodity	Submission dates	
		Second quarter 1952	Third quarter 1952
	<i>Metals and manufactures<sup>2</sup></i>		
	Controlled Materials: <sup>3 4</sup>		
	Commodities with processing code STEE:		
	Stainless and other alloy steel.....	Dec. 15, 1951-Dec. 31, 1951.	
	Carbon steel and all other.....	Jan. 1, 1952-Jan. 15, 1952.	
	Commodities with processing code TNPL:		
	Stainless and other alloy steel.....	Dec. 5, 1951-Dec. 20, 1951.	
	Commodities with processing code NONF:		
	Aluminum and manufactures.....	Jan. 1, 1952-Jan. 15, 1952.	
	Copper and manufactures.....	Jan. 1, 1952-Jan. 15, 1952.	
	Copper base alloys and manufactures (includes brass and bronze).	Jan. 1, 1952-Jan. 15, 1952.	

<sup>1</sup> Applications for licenses to export commodities for which no specified filing dates are announced may be submitted at any time. (See § 372.3 (a) of this subchapter.)

<sup>2</sup> The submission dates for these commodities are also applicable to project license applications (see §§ 374.2 (f) and 374.3 (d) of this subchapter), but are not applicable to petroleum project licenses (see § 398.8 (d) of this subchapter).

<sup>3</sup> See § 398.5 (e) of this subchapter for list of controlled materials.

<sup>4</sup> See § 398.5 (d) of this subchapter for exception to these dates under certain conditions.

This part of the amendment shall become effective as of November 8, 1951.

5. Section 374.51 Supplement 1: List of restricted commodities is amended by adding thereto the following commodities:

All commodities with the processing code MINL.

This part of the amendment shall become effective as of November 18, 1951.

6. Section 398.5 CMP: Export allocations and procedures, paragraph (b) Export quotas and allotment symbols for controlled materials is amended in the following particulars:

Subparagraph (3) CMP "A" products is amended by deleting from the first sentence thereof the words, "freight cars".

This part of the amendment shall become effective as of November 8, 1951.

7. Section 398.5 CMP: Export allocations and procedures, paragraph (e) Controlled materials is amended to read as follows:

(e) Controlled materials.

Dept. of Commerce Schedule B No.	Commodity	OIT ref. code to controlled materials
	<i>Steel mill products</i>	
601300	Tinplate circles, strips, cobbles, and scroll-shear butts.....	18
601550	Revolving rails.....	19
	Steel ingots, blooms, billets, slabs, sheet bars, tinplate bars, and tube rounds (Armco iron, ingot iron, and other iron made in steel-making furnaces included):	
601605	Carbon steel:	
601606	Steel ingots.....	7
601606	Steel billets, projectile and shell quality.....	8
601606	Other steel billets; and blooms and slabs.....	7
601609	Steel sheet bars, and tinplate bars.....	7

Dept. of Commerce Schedule B No.	Commodity	OIT ref. code to controlled materials
	<i>Steel mill products—Continued</i>	
	Steel ingots, blooms, billets, slabs, sheet bars, tinplate bars, and tube rounds (Armco iron, ingot iron, and other iron made in steel-making furnaces included)—Continued	
601705	Alloy steel (stainless included):	
601705	Steel ingots, stainless.....	40
601705	Other steel ingots.....	24
601706	Rolled or forged steel billets, projectile and shell quality, except stainless.....	25
601706	Rolled or forged steel billets, blooms, and slabs, stainless.....	40
601706	Other rolled or forged steel billets, blooms, and slabs.....	24
601709	Steel sheet bars, stainless.....	40
601709	Other steel sheet bars and tinplate bars.....	7
601800	Carbon tube rounds.....	24
601800	Alloy tube rounds, except stainless.....	40
601800	Stainless tube rounds.....	40
	Iron and steel bars and rods (include bar size shapes):	
602010	Steel bars, cold-finished:	
602010	Die steel bars, carbon steel.....	9
602010	Other carbon steel bars.....	9
602050	Stainless.....	41
602090	Alloy, except stainless.....	26
602100	Iron bars.....	10
602200	Concrete reinforcement bars (deformed and twisted bars only).....	10
	Other steel bars and rods (hot-rolled):	
602300	Die steel bars, carbon steel.....	10
602300	Other carbon steel bars, projectile and shell quality.....	11
602300	Other carbon steel bars and rods.....	10
602500	Stainless steel.....	42
602600	Alloy steel, except stainless, projectile and shell quality.....	28
602600	Other alloy steel, except stainless.....	27
	Wire rods (for further manufacture):	
602900	Carbon steel.....	21
602900	Alloy steel, except stainless.....	37
602900	Stainless.....	47
	Plates, including boiler plate, except fabricated: <sup>1</sup>	
603120	Carbon steel:	
603120	Hot-rolled.....	15
603130	Cold-rolled.....	15

<sup>1</sup> Armor plate, classified in Schedule B Nos. 603120, 603130, 603170, and 603180, requires export authorization from the Department of State (see § 370.5, Note 1 of this subchapter).

Dept. of Commerce Schedule B No.	Commodity	OIT ref. code to controlled materials
	<i>Steel mill products—Continued</i>	
	Plates, including boiler plate, except fabricated: <sup>1</sup> —Continued	
603140	Stainless steel:	
603160	Hot-rolled.....	45
	Cold-rolled.....	45
603170	Alloy steel, except stainless:	
603180	Hot-rolled.....	32
603200	Cold-rolled.....	32
	Skelp iron and steel.....	7
603350	Iron and steel sheets, galvanized:	
603390	Galvanized iron culvert sheets.....	17
603450	Other galvanized iron sheets.....	17
603490	Galvanized steel culvert sheets.....	17
	Other galvanized steel sheets.....	17
	Steel sheets, black, ungalvanized (include enameled, lacquered, or painted):	
603520	Carbon steel:	
603530	Hot-rolled.....	16
	Cold-rolled.....	16
603540	Stainless steel:	
603560	Hot-rolled.....	46
	Cold-rolled.....	46
603570	Alloy steel, except stainless:	
603580	Hot-rolled.....	34
603595	Cold-rolled.....	34
	Electrical (steel) sheet and strip, except transformer grades.....	34
603595	Electrical (steel) sheet and strip, transformer grades only.....	34
603600	Iron sheets, black (including enameled, lacquered, and painted):	
	Strip, hoop, band, and scroll, iron and steel (including enameled, lacquered, and painted):	16
603710	Cold-rolled carbon steel, gilding metal clad.....	16
603710	Cold-rolled carbon steel, except gilding metal clad.....	16
603750	Cold-rolled stainless steel.....	46
603790	Cold-rolled alloy steel, except stainless.....	34
603810	Hot-rolled carbon steel, gilding metal clad.....	16
603810	Hot-rolled carbon steel, except gilding metal clad.....	16
603850	Hot-rolled stainless steel.....	46
603890	Hot-rolled alloy steel, except stainless.....	34
	Tinplate:	
604000	Waste-waste tinplate.....	18
604110	Tinplate, hot-dipped.....	18
604150	Tinplate, electrolytic.....	18
604170	Tinplate, decorated, embossed, lithographed, lacquered, or otherwise advanced, excluding lithographic misprints.....	18
604200	Terneplate (long terms included).....	18
	Structural iron and steel:	
	(except bar mill size structurals):	
604500	Carbon steel.....	12
604500	Alloy steel, except stainless.....	29
604500	Stainless.....	43
605000	Sheet piling.....	12
	Railway-track material, iron and steel:	
	Rails:	
605100	Over 60 pounds per yard, carbon steel.....	19
605100	Over 60 pounds per yard, alloy steel.....	35
605200	60 pounds per yard and under, carbon steel.....	19
605200	60 pounds per yard and under, alloy steel.....	35
605300	Relaying rails (report reolling rails under 601550, and scrap rails under 601090).....	19
605410	Rail joints and splice bars.....	19
605450	Tie plates (including fish plates).....	19
	Tubular products and fittings, iron and steel, new and used (except scrap):	
	Boiler tubes, seamless:	
606000	Carbon steel.....	14
606000	Alloy steel.....	31
	Boiler tubes, welded:	
606100	Carbon steel.....	14
606100	Alloy steel.....	31
	Casing and line pipe (see § 399.2):	
606250	Casing, seamless, carbon steel.....	13
606250	Casing, seamless, alloy steel.....	30
606290	Line pipe, seamless.....	13
606350	Casing, welded, carbon steel.....	13
606350	Casing, welded, alloy steel.....	30
606390	Line pipe, welded.....	13
606400	Seamless black pipe and tubes, except casing, oil-line, and boiler.....	13
607000	Welded black pipe and tubes, steel.....	13
607100	Welded black pipe and tubes, wrought iron.....	13
607200	Welded galvanized pipe and tubes, steel.....	13
607300	Welded galvanized pipe and tubes, wrought iron.....	13
	Mechanical pipe and tubes:	
607400	Carbon steel.....	14
607400	Alloy steel.....	31



Dept. of Commerce Schedule B No.	Commodity	OIT ref. code to controlled materials
<b>Steel mill products—Continued</b>		
	Tabular products and fittings, iron and steel, new and used (except scrap)—Continued	
607500	Stainless steel pipe and tubes	44
607705	Carbon steel pipe, n. e. s.	13
607705	Alloy steel pipe, except stainless, n. e. s.	30
607705	Iron pipe, n. e. s.	13
	Wire and manufactures:	
	Iron and steel wire, uncoated:	
608100	Carbon steel and iron	21
608100	Alloy steel, except stainless	37
608100	Stainless steel	47
	Galvanized wire:	
608200	Tie wires for reinforcing bars	21
608200	Other galvanized wire	21
608300	Barbed wire	21
608500	Woven-wire fencing	21
609101	Wire bale ties	21
609109	Coated wire, carbon steel and iron	21
609109	Coated wire, alloy steel, except stainless	37
609109	Coated wire, stainless steel	47
	Other wire and manufactures:	
609198	Coils, cold-finished; musical instrument wire; piano wire; spring wire, bright steel, piano grade	21
609200	Nails and bolts, iron and steel, n. e. s.:	
	Wire nails, carbon steel (include shoe nails) (report shoe tacks in 609400)	21
609200	Wire nails, stainless steel	47
609500	Cut nails, and staples, carbon steel	21
609500	Cut nails, and staples, stainless steel	47
	Castings and forgings, iron and steel:	
610410	Carbon steel castings	6
610490	Alloy steel castings, except stainless	23
610490	Stainless steel castings	39
	Railway car and locomotive wheels, tires, and axles:	
610515	Railway car wheels, carbon steel	20
610515	Railway car wheels, alloy steel	36
610518	Railway car tires and locomotive wheels, carbon steel	20
610518	Railway car tires and locomotive wheels, alloy steel	36
610525	Railway car axles, without wheels, carbon steel	20
610525	Railway car axles, without wheels, alloy steel	36
610528	Railway locomotive axles, without wheels, carbon steel	20
610528	Railway locomotive axles, without wheels, alloy steel	36
610535	Railway car axles, fitted with carbon steel wheels; and railway car axles, carbon steel, fitted with iron wheels	20
610535	Railway car axles, fitted with alloy steel wheels; and railway car axles, alloy steel, fitted with iron wheels	36
610538	Railway locomotive axles, fitted with carbon steel wheels	20
610538	Railway locomotive axles, fitted with alloy steel wheels	36
<b>Iron and steel manufactures</b>		
620933	Carbonyl iron powder (see § 373.2)	4
620998	Packing steel, stainless	42
620998	Steel tubes for manufacturing of ball bearings	14
620998	Circles, steel	16
<b>Aluminum and manufactures</b>		
630000	Ingots, slabs, pigs and other crude forms	68
630301	Sheets, plates, and strip, except corrugated sheets	65
630305	Bars and rods, rolled	61
630305	Bars and rods, extruded	64
630400	Aluminum foil and leaf (less than 0.006 inch in thickness)	69
630500	Mill shapes, rolled	63
630500	Forgings; castings; extruded shapes; and unfabricated molding	64
630500	Blanks; rectangles; and circles	65
630500	Tubes and tubing	66
630600	Aluminum wire; and aluminum cable, steel-reinforced (ACSR)	62
630850	Aluminum or aluminum bronze powders and paste (aluminum content)	67
<b>Copper and manufactures</b>		
642200	Copper pipes and tubes	52
642300	Copper plates, sheet, and strips	51
642400	Copper rods and bars (report copper-weld bars in 642500; and wire bars in 641200)	50
642500	Copper wire and cable, bare, for electrical conduction only	57
642500	Copper wire and cable, bare, other than for electrical conduction, except electrodes and welding rods	50

Dept. of Commerce Schedule B No.	Commodity	OIT ref. code to controlled materials
<b>Copper and manufactures—Continued</b>		
643998	Copper manufactures, n.e.s. (copper content) (specify by name):	
	Armored cable, sisalkraft (copper chief value)	50
643998	Foil; and rolls	51
643998	Powder	59
<b>Copper base alloys and manufactures (Includes brass and bronze)</b>		
644900	Brass and bronze bars, rods and shapes (extruded, rolled and drawn)	54
645000	Brass and bronze plates, sheets, and strip (report window strip and shapes in 647998)	55
645300	Brass and bronze pipes and tubes (pipe coils included)	56
645700	Wire, brass and bronze, bare (including phosphor bronze), except welding electrodes and welding rods	54
645700	Wire, brass and bronze, insulated	57
647913	Brass and bronze castings and forgings	58
647998	Brass and bronze powder (copper content) (including, but not limited to, Dutch metal powder, gilding powder, gold bronze powder, and metallic powder)	59
664905	Beryllium copper rods, bars, shapes, wire (copper content)	54
664905	Beryllium copper strips, sheets, plates (copper content)	55
664905	Beryllium powder (copper content)	59
669198	Beryllium alloy castings (specify copper content)	58
669198	Beryllium alloy tubes (specify copper content)	56
669198	Cupro-nickel resistance wire; Dumet wire; and thermocouple wire (specify copper content)	54
669198	Phosphor copper pipe and tubes (specify copper content)	56
669198	Phosphor copper powder (specify copper content)	59
669198	Phosphor copper rods, bars, and wire; cupro-nickel wire; and nickel-silver wire (specify copper content)	54
669198	Phosphor copper plates, sheets, and flat or coiled strip; and cupro-nickel strip (specify copper content)	55
	Nickel silver, or German silver in following forms (copper content) (specify by name):	
661000	Bars or rods	54
661000	Sheets	55
709810	Building wire and cable	57
709830	Weatherproof and slow burning wire	57
709850	Insulated copper wire, n. e. s., (specify by name)	57

This part of the amendment shall become effective as of November 8, 1951.

(Sec. 3, 63 Stat. 7; 50 U. S. C. App Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59; 3 CFR, 1948 Supp.)

LORING K. MACY,  
Director,

Office of International Trade.

[F. R. Doc. 51-13860; Filed, Nov. 20, 1951; 8:45 a. m.]

## TITLE 25—INDIANS

### Chapter I—Bureau of Indian Affairs, Department of the Interior

#### Subchapter L—Irrigation Projects; Operation and Maintenance

#### PART 94—CROW IRRIGATION PROJECT, MONTANA

#### WILLOW CREEK STORAGE RESERVOIR, PARTIAL CONSTRUCTION ASSESSMENTS

CROSS REFERENCE: For the repeal of § 94.16a (b), (c), (d), (e), and (f), see Part 148 of this title, *infra*.

#### Subchapter N—Irrigation Projects; Construction Costs

#### PART 148—CONSTRUCTION ASSESSMENTS, CROW INDIAN IRRIGATION PROJECT

#### PUBLIC NOTICE OF CONSTRUCTION ASSESSMENTS

1. A new part containing Subparts A and B is added as hereinafter set forth:

#### SUBPART A—CHARGES ASSESSED AGAINST IRRIGATION DISTRICT LANDS

- Sec.  
148.1 Contracts.  
148.2 Annual rate of assessments.  
148.3 Annual amount of assessments.  
148.4 Time of payment.  
148.5 Penalty.  
148.6 Refusal of water delivery.

#### SUBPART B—CHARGES ASSESSED AGAINST NON-INDIAN LANDS NOT INCLUDED IN AN IRRIGATION DISTRICT

- 148.20 Private contract lands; assessments.  
148.21 Time of payment.  
148.22 Penalty.  
148.23 Refusal of water delivery.

AUTHORITY: §§ 148.1 to 148.23 issued under sec. 15, 60 Stat. 338.

#### SUBPART A—CHARGES ASSESSED AGAINST IRRIGATION DISTRICT LANDS

§ 148.1 *Contracts.* Under provisions of the act of Congress approved June 28, 1946 (60 Stat. 333-338), contracts were executed June 28, 1951, by the United States with the Lower Little Horn and Lodge Grass Irrigation District and the Upper Little Horn Irrigation District providing for the payment, over a period of 40 years, by each of the Districts of its respective share of the sum of \$210,726 expended for the construction of the Willow Creek storage works on account of non-Indian lands within the Districts entitled to share in the storage water, directly or by substitution.

§ 148.2 *Annual rate of assessments.* Within the Lower Little Horn and Lodge Grass Irrigation District there are 3,196.8 acres for which the District is obligated by contract to pay its proper share of the total construction costs. There are 3,237.6 acres, more or less, covered by contracts with private landowners, obligating such owners to pay their proper share of such construction costs. The total per acre charge against all such lands is \$26.38. This amounts to annual per acre rate of \$0.6595. For the purpose of this notice the annual per acre rate is hereby fixed at \$0.66. This annual per acre rate of assessment will continue for a 40-year period within which the total amount of construction costs of \$210,726 is to be repaid without interest. The amount of each annual installment chargeable against each of the Districts for the acreage covered by their respective contracts shall be determined by multiplying the total acreage, under each contract entitled to Willow Creek storage rights, either directly or by substitution, by the per acre annual rate.



§ 148.3 *Annual assessments.* Notice is hereby given of an annual assessment of \$2,108.05 to be repaid by the Lower Little Horn and Lodge Grass Irrigation District for the 3,196.8 acres of irrigable land of the District, and an annual assessment of \$1,025.06 to be repaid by the Upper Little Horn Irrigation District for the 1,554.7 acres of irrigable land of the District. Against the amounts due annually by the Districts under this notice, there shall be allowed any credits due under section 6 of the act of June 28, 1946. Credits due on behalf of any land shall be reflected by the respective Districts when placing against such land the annual assessment on the tax rolls.

§ 148.4 *Time of payment.* Annual assessments shall be paid by the Districts to the United States, one-half thereof on or before February 1 and one-half thereof on or before July 1 following, of each year commencing with the calendar year 1952.

§ 148.5 *Penalty.* To all assessments not paid on the due date, there shall be added a penalty of one-half of one percent per month or fraction thereof, from the due date so long as the delinquency continues.

§ 148.6 *Refusal of water delivery.* The right is reserved to the United States to refuse the delivery of water to each of the said Irrigation Districts in the event of default in the payment of assessments, including penalties on account of delinquencies.

**SUBPART B—CHARGES ASSESSED AGAINST NON-INDIAN LANDS NOT INCLUDED IN AN IRRIGATION DISTRICT**

§ 148.20 *Private contract lands; assessments.* In addition to 4,751.5 acres of non-Indian land included within the two irrigation Districts dealt with in Subpart A, there are 3,237.6 acres of land, more or less, in non-Indian ownership under private ditches, covered by repayment contracts executed pursuant to the act of June 28, 1946 (60 Stat. 333-338), obligating such owners to pay their proper share of such construction costs. The total per acre charge against all such lands is \$26.38. This amounts to an annual per acre rate of \$0.6595. For the purposes of this notice the annual per acre rate is hereby fixed at \$0.66. This annual rate of assessment will continue for a 40-year period within which the total amount of construction cost of \$210,726 is to be repaid without interest. The amount of each annual installment chargeable against the lands covered by each of the several contracts with individual landowners whose lands are served under private ditches, shall be determined by multiplying the total acreage, under each contract entitled to Willow Creek storage rights, either directly or by substitution, by the per acre annual rate. Against the amounts due annually by the individual landowners whose lands are served by private ditches, under this notice there shall be allowed any credits due under section 6 of the act of June 28, 1946. Credits due on behalf of any land shall be reflected in any statement submitted to the landowners.

§ 148.21 *Time of payment.* The amount of each annual installment, payable under the private landowner contracts, determined as herein provided, shall be paid by the landowners to the United States, on or before November 15 of each year commencing with the calendar year 1951.

§ 148.22 *Penalty.* To all assessments not paid on the due date there shall be added a penalty of one-half of one percent per month or fraction thereof, from the due date so long as the delinquency continues.

§ 148.23 *Refusal of water delivery.* The right is reserved to refuse the delivery of water to any landowner in the event of default in the payment of assessments, including penalties on account of delinquencies.

2. Section 94.16a (b), (c), (d), (e), and (f), of 25 CFR 94 is hereby repealed.

OSCAR L. CHAPMAN,  
Secretary of the Interior.

NOVEMBER 14, 1951.

[F. R. Doc. 51-13862; Filed, Nov. 20, 1951;  
8:45 a. m.]

## TITLE 18—CONSERVATION OF POWER

### Chapter I—Federal Power Commission

[Docket No. R-121]

#### PART 141—STATEMENTS AND REPORTS (SCHEDULES)

##### ANNUAL REPORT FORM FOR ELECTRIC UTILITIES AND LICENSES, FPC FORM NO. 1<sup>1</sup>

OCTOBER 30, 1951.

The Commission has under consideration in this proceeding the amendment of § 141.1 of Part 141 of its general rules and regulations (18 CFR, Chapter 1, Subchapter D, Part 141) by revising five schedules of the general information section of the Annual Report, FPC Form No. 1, required of Class A and B electric utilities and licensees.

Notice was given to Class A and B electric utilities and licensees required to file FPC Form No. 1, State public service commissions, and certain Federal agencies by mailing a copy of the proposed rule making to them. General notice was also published in the *FEDERAL REGISTER* on May 30, 1951 (16 F. R. 5075) stating that any interested person could submit data, views and comments concerning the proposed amendments to the Commission on or before June 29, 1951. Eight responses containing comments and suggestions were received.

The proposed amendments are designed to provide more complete information concerning the reporting company's securities registered on exchanges; information as to options, warrants or rights to purchase securities; information as to the financial interests and benefits of officers and directors derived from the reporting company; and

information as to materially important legal proceedings and transactions to which the company or an officer, director, security holder, voting trustee or associated company was a party. Additionally, they are designed to enable electric utilities under obligation to file SEC Form 10-K with the Securities and Exchange Commission to comply with the principal requirements of SEC Form 10-K by filing with that Commission copies of reports on FPC Form No. 1.

Conferences on the proposed amendments have been held by members of the Commission's staff with representatives of the Advisory Council on Federal Reports, and the Bureau of the Budget. Also, the proposed amendments, together with the comment and suggestions which were received, were the subject of conferences with the staff of the Securities and Exchange Commission. In addition, the revised schedules have been reviewed and approved by the Committee of Statistics and Accounts of the National Association of Railroad and Utilities Commissioners.

The Commission having considered the proposed amendments, the purposes thereof, the comments and suggestions received in response to the notice and the suggestions derived from the conferences, referred to above, finds:

(1) The proposed amendments relate to matters of practice or procedure and do not require hearing thereon pursuant to section 4 (a) of the Administrative Procedure Act.

(2) The proposed amendments are necessary or appropriate to carry out the provisions of the Federal Power Act.

The Commission, acting pursuant to authority granted by the Federal Power Act, particularly sections 3 (13), 4 (a) through (c), 301 (a), 304 (a), 309 and 311 thereof (49 Stat. 838, 839, 854, 855, 858, 859; 16 U. S. C. 796 (13), 797 (a) through (c), 825 (a), 825c (a), 825h and 825j), orders.

(A) Section 141.1 *Annual Report, Form No. 1, Electric Utilities and Licensees (Class A and B)* of Part 141 of the general rules and regulations (18 CFR, Chapter I, Subchapter D, Part 141) is hereby amended to prescribe the following attached and accompanying revised schedules and instructions which are made a part hereof by reference, for inclusion in the general information section of FPC Form No. 1:

1. Page 3, schedule entitled "General Information".

2. Page 6, schedule entitled "Officers".

3. Page 7, schedule entitled "Directors".

4. Page 8, schedule entitled "Security Holders and Voting Powers".

5. Page 10, schedule entitled "Important Changes During the Year".

(B) This order and the revised schedules prescribed by this order shall become effective December 31, 1951 for the filing of Annual Reports on FPC Form No. 1 by Class A and B electric utilities and licensees and shall remain in force until further order of the Commission.

(C) The Secretary of the Commission shall cause prompt publication of this

<sup>1</sup> Filed as part of the original document.



order to be made in the FEDERAL REGISTER.

(Sec. 809, 49 Stat. 858; 16 U. S. C. 825h)

Date of issuance: November 13, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 51-13865; Filed, Nov. 20, 1951;  
8:46 a. m.]

[Docket No. R-122]

**PART 260—STATEMENTS AND REPORTS  
(SCHEDULES)**

**FORM AND FILING OF ANNUAL REPORTS, FPC  
FORM NO. 2,<sup>1</sup> FOR NATURAL GAS COMPANIES  
(CLASSES A AND B)**

OCTOBER 30, 1951.

In this proceeding the Commission has under consideration the amendment of § 260.1, entitled "Form No. 2, Annual Reports for Natural Gas Companies (Classes A and B)", of Part 260—Statements and Reports (Schedules), Subchapter G—Approved Forms, Natural Gas Act, Chapter I of Title 18, Code of Federal Regulations, to prescribe the accompanying revised schedules, including instructions therein contained, for inclusion in the Annual Report Form, FPC Form No. 2, for natural-gas companies (Classes A and B) to be prepared and filed annually with the Commission.

General public notice of the proposed rule making in the above-entitled matter was given by publication of notice in the FEDERAL REGISTER on May 30, 1951 (16 F. R. 5075), and by mailing notices to interested persons, including natural-gas companies in the classifications affected, and to state and federal regulatory agencies.

The proposed amendments were developed in cooperation with the Committee on Statistics and Accounts of the National Association of Railroad and Utilities Commissioners in order to give effect to certain changes made necessary because of revisions effective January 1, 1951, of the Commission's Uniform System of Accounts for Natural Gas Companies and to provide for certain additional information necessary to proper administration of the Federal Power Act. Revision of five schedules in the general information section of the report was made at the request of the Advisory Council to the Bureau of the Budget on Federal Reports, in collaboration with the staff of the Securities and Exchange Commission, and coordinated with the NARUC Committee on Statistics and Accounts, in order to make copies of reports on FPC Form No. 2 also acceptable for filing with the Securities and Exchange Commission in fulfillment of the principal requirements of SEC Form 10-K.

In response to the general public notice inviting interested persons to submit

data, views, and comments in writing concerning the proposed amendments, the Commission received written responses from the following: Securities and Exchange Commission, Public Service Commission of New York, American Gas Association (Managing Committee of Accounting Section), Columbia Gas System, Inc., Consolidated Edison Company of New York, Kansas-Nebraska Gas Company, Inc., Panhandle Eastern Pipe Line Company, Philadelphia Electric Company, Southeastern Michigan Gas Company, and United Gas Pipe Line Company. In addition, representatives of the Advisory Council on Federal Reports met with representatives of the Bureau of the Budget and later, upon request therefor, a conference with the Commission's staff was held August 16, 1951, which was participated in by representatives of the Advisory Council on Federal Reports, Bureau of the Budget, Securities and Exchange Commission, American Gas Association, and United Gas Pipe Line Company. The further changes resulting from this conference were reviewed by the NARUC Committee on Statistics and Accounts and by a representative of the Bureau of the Budget. Thorough consideration has been given to all suggestions received.

The Commission has considered the proposed amendments as published on May 30, 1951 and the comments thereon, in the light of its experience under its existing rules and the annual report form heretofore prescribed for natural gas companies (Classes A and B). The responses to the rule making notice and the suggestions presented at the conferences herein have been helpful in changing, clarifying and improving the proposed amendments. It is our opinion that the revised amendments will substantially meet such objections as were interposed to the originally proposed amendments. A number of schedules previously included in the annual report form have been eliminated; others have been consolidated and simplified; and certain new schedules have been included that are deemed necessary in the Commission's administration of the Natural Gas Act. Also, the amendments include changes that are needed to harmonize the accounting classifications of the report form with the revisions of the Commission's Uniform System of Accounts Prescribed for Natural Gas Companies that were made effective January 1, 1951 by the Commission's Order No. 155, issued September 6, 1950 in Docket No. R-118 (15 F. R. 10450).

The reporting requirements of the proposed amendments as hereinafter adopted were approved on October 9, 1951 by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 (56 Stat. 1078; 5 U. S. C. 139-139f).

Upon consideration of the entire record in this proceeding, including the various proposed amendments, comments and suggestions, the experience acquired by the Commission in the administration of the Natural Gas Act, and

its general rules and regulations thereunder, particularly its rules pertaining to the form and filing of annual reports, FPC Form No. 2, for natural-gas companies (Classes A and B), the Commission finds:

(1) Amendment of its general rules and regulations as hereinafter ordered and provided is appropriate and necessary for carrying out the provisions of the Natural Gas Act.

(2) Good cause exists for making such amendment effective as hereinafter ordered.

The Commission, acting pursuant to authority granted by the Natural Gas Act, as amended, particularly sections 8, 10, and 16 thereof (52 Stat. 821, 825, 826 and 830; 15 U. S. C. 717, 717g, 717i, 717o), orders:

(A) Section 260.1, Form No. 2, Annual Reports for Natural Gas Companies (Classes A and B) of Part 260, Statements and Reports (Schedules), Subchapter G—Approved Forms, Natural Gas Act, Chapter I of Title 18, Code of Federal Regulations, be and the same is hereby amended as follows:

1. To prescribe the accompanying and attached revised and new schedules and instruction therein contained, made a part hereof by reference, for inclusion in the Annual Report Form, FPC Form No. 2, for Natural-Gas Companies (Classes A and B), to be prepared and filed annually with the Commission as provided for by paragraph (b) of said § 260.1 (18 CFR 260.1 (b));

2. To delete from the said Annual Report Form, FPC Form No. 2, as indicated hereinbelow, certain schedules heretofore prescribed for inclusion therein:

Old Schedule No.:	Title of schedules deleted
408-----	Gas plant adjustments.
418 <sup>1</sup> -----	Reserve for amortization of gas plant acquisition adjustments.
454 <sup>1</sup> -----	Duplicate charges—credit.
460-----	Purchased gas expenses.
471A <sup>1</sup> -----	Depreciation, depletion, and amortization of natural gas production plant.
471B <sup>1</sup> -----	Depreciation and amortization of storage, transmission, distribution, and general plant.
481A-----	Reconciliation of production system expenses.
485 <sup>1</sup> -----	Field compressor stations.
488 <sup>1</sup> -----	Transmission compressor stations.
491-----	Transmission line plant and expenses.
492-----	Transmission measuring and regulating station plant and expenses.

<sup>1</sup> Deleted, but data required in other schedules herein prescribed.

3. To prescribe that the said Annual Report Form, FPC Form No. 2, to be prepared and filed annually in accordance with aforesaid § 260.1 (b), contain the following schedules, including the schedules heretofore prescribed but not changed herein, and including those herein revised or added and prescribed, as listed herebelow:

<sup>1</sup> Filed as part of the original document.



Page No. 1	Title of schedule	Remarks
3	General information.....	Revised.
4	Control over respondent.....	No change.
5	Corporations controlled by respondent.....	Do.
6	Officers.....	Revised.
7	Directors.....	Do.
8-9	Security holders and voting powers.....	Do.
10-11	Important changes during the year.....	Do.
12-13	Comparative balance sheet—Statement A.....	Do.
14-15	Notes to balance sheet—Statement A (continued).....	No change.
16-17	Summary of utility plant and reserves—Statement B.....	Do.
18-19	Statement of income for the year—Statement C.....	Revised.
20	Dividend appropriations.....	No change.
21	Statement of earned surplus—Statement D.....	Do.
22	Other physical property.....	Do.
23	Investments.....	Do.
24	Sinking and miscellaneous special funds.....	Do.
25	Special deposits.....	Do.
26	Notes receivable.....	Do.
27	Accounts receivable.....	Do.
28	Receivables from associated companies.....	Do.
29	Materials and supplies.....	Revised.
30	Production fuel and oil stocks.....	No change.
30A	Gas stored underground.....	New schedule.
31	Prepayments.....	No change.
31	Other current and accrued assets.....	Do.
31	Extraordinary property losses.....	Do.
32	Unamortized debt discount and expense and unamortized premium on debt.....	Do.
33	Preliminary survey and investigation charges.....	Do.
34	Clearing accounts.....	Do.
35	Other deferred debits.....	Do.
35	Deferred regulatory commission expenses.....	Do.
36	Discount on capital stock.....	Do.
36	Capital stock expense.....	Do.
37	Capital stock.....	Do.
38	Stock liability for conversion, premiums and assessments, capital stock subscribed, installments received.....	Do.
39	Long-term debt.....	Do.
40	Securities issued, assumed, refunded, or retired.....	Do.
41	Notes payable.....	Do.
42	Payables to associated companies.....	Do.
43	Accrued and prepaid taxes.....	Do.
44	Other current and accrued liabilities.....	Do.
44	Customers' advances for construction.....	Do.
45	Other deferred credits.....	Do.
46	Reserve for depreciation and amortization of other property.....	Do.
47	Reserve for uncollectible accounts.....	Do.
48	Insurance, injuries and damages, employees' provident, other reserves.....	Do.
49	Contributions in aid of construction.....	Do.
49	Capital surplus.....	Do.
50	Income from utility plant leased to others.....	Do.
50	Rent for lease of utility plant.....	Do.
51	Income from merchandising, jobbing, and contract work.....	Do.
52	Particulars concerning certain other income accounts.....	Do.
53	Particulars concerning certain income deduction accounts.....	Do.
54	Common utility plant.....	Do.
55	Taxes charged during the year.....	Do.
56	Regulatory commission expenses.....	Do.
57	Service contract charges.....	Do.
58-59	Distribution of salaries and wages.....	Revised.
60-63	Gas plant in service.....	Do.
64	Gas plant leased to others.....	Do.
65	Construction work in progress.....	Do.
66	Gas plant held for future use.....	Do.
67	Gas plant acquisition adjustments and reserve for amortization of gas plant acquisition adjustments.....	Do.
68	Gas plant in process of reclassification.....	No change.
69	Reserve for depreciation of gas plant.....	Revised.
70	Reserve for amortization and depletion of producing natural gas land and land rights.....	No change.

<sup>1</sup> Page numbers refer to corresponding pages designated for the Form. The printing of the Form may require some changes in the page numbers when such Form is reproduced in its entirety.

Page No. 1	Title of schedule	Remarks
71	Reserve for abandoned leases.....	No change.
72	Reserve for amortization of other limited-term gas investments.....	Do.
73	Gas operating revenues.....	Revised.
74-75	Sales of natural gas by communities.....	No change.
76	Residential and commercial space heating customers.....	New schedule.
76	Interruptible, off peak, and firm sales to distribution system industrial customers.....	Do.
77-78	Main line industrial sales of natural gas.....	Revised.
79-80	Sales to other gas utilities—natural gas.....	Do.
81	Interdepartmental sales—natural gas and other sales—natural gas.....	Do.
81	Rent from gas property and interdepartmental rents.....	Do.
82	Revenue from transportation of gas of others—natural gas.....	Do.
82	Natural gas exchanged.....	Do.
83	Sales of products extracted from natural gas.....	New schedule.
83	Revenues from natural gas processed by others.....	Revised.
84	Revenue from incidental gasoline and oil sales and miscellaneous gas revenues.....	Do.
85-91	Gas operating expenses.....	Do.
92	Rents charged to gas operating expenses.....	New schedule.
93	Exploration and development costs.....	Revised.
93	Abandoned leases.....	No change.
94-95	Gas purchased.....	Revised.
96	Gas used in utility operations—credit.....	Do.
97	Transmission and compression of gas by others.....	Do.
98	Franchise requirements.....	No change.
99	Joint expenses—debit and credit.....	New schedule.
100-	Construction overheads—gas.....	Revised.
101	Depreciation, depletion, and amortization of gas plant.....	Do.
102-	Natural gas land acreage.....	Do.
103	Natural gas reserves.....	Do.
104	Changes in estimated natural gas reserves.....	New schedule.
105	Contracted natural gas supply.....	Do.
106	Natural gas production statistics.....	Revised.
107	Products extraction operations—natural gas.....	Do.
108-	Number of gas and oil wells.....	No change.
109	Compressor stations.....	Revised.
110	Field and storage lines.....	Do.
111	Transmission lines.....	Do.
112-	Underground gas storage.....	Do.
113	Manufactured gas production statistics.....	Do.
114	Liquefied petroleum gas operations.....	New schedule.
115	Transmission system peak deliveries.....	Do.
116	Auxiliary peaking facilities.....	Do.
117	Gas account—natural gas.....	Revised.
118	Service interruptions and property damage.....	New schedule.
119	System map.....	Revised.
120	Verification.....	No change.

(B) This order, and the amendments to the Annual Report Form FPC No. 2 herein prescribed, shall become effective December 31, 1951, for the filing of annual reports on FPC Form No. 2 by Class A and B natural gas companies, and shall remain in force until further order of the Commission.

(C) The Secretary of the Commission shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

(Sec. 16, 52 Stat. 830; 15 U. S. C. 7170)

Date of issuance: November 14, 1951.

By the Commission.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 51-13866; Filed, Nov. 20, 1951; 8:47 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter V—Department of the Army

#### Subchapter B—Claims and Accounts

#### PART 536—CLAIMS AGAINST THE UNITED STATES

##### PAYMENT FOR ARREST AND DELIVERY

Paragraph (a) of § 536.32 is rescinded and the following substituted therefor:

§ 536.32 *Payment for arrest and delivery of members absent without leave, deserters, and escaped military prisoners—(a) Services or expenses for which payment will be made.* (1) Persons or agencies who return absentees and deserters to military control, when authorized by the appropriate military authority, will be reimbursed reasonable expenses incurred incident to the return of the absentee or deserter not to exceed \$50. Reasonable expenses will include:

(i) Reimbursement for travel performed by privately owned conveyance at a rate not to exceed 7 cents a mile from place of apprehension or civil police headquarters to place of return to military control.

(ii) Reimbursement of actual and necessary expenses including taxicab fare, or bus fare when necessary for travel performed by citizen or officer and prisoner.

(iii) Reimbursement for cost of all necessary meals consumed by the prisoner, not to exceed normal meal rates for area concerned, upon presentation of proof that the cost was personally incurred by the delivering or apprehending officer.

(iv) Reimbursement for telephone and telegraph communications costs in connection with the apprehension and delivery of the prisoner to military authority.

(v) Payments will be made for damages to the apprehending officer's property whenever such damages are caused directly by the absentee and result from the apprehension.

(vi) Reimbursement for any other reasonable expenses incurred in the actual delivery of the prisoner as may be deemed justifiable and reimbursable by the certifying officer.

(2) No reimbursement will be made for confinement at the officer's confinement facility; for transportation performed by official vehicles; or for personal services of delivering officer.

[AR 35-1570, 5 Nov. 1951] (R. S. 161; 5 U. S. C. 22)

[SEAL]

WM. E. BERGIN,  
Major General, U. S. Army,  
The Adjutant General.

[F. R. Doc. 51-13875; Filed, Nov. 20, 1951; 8:48 a. m.]



## TITLE 32A—NATIONAL DEFENSE, APPENDIX

### Chapter III—Office of Price Stabilization, Economic Stabilization Agency

(Ceiling Price Regulation 1, Amdt. 1 to Revision 1)

#### CPR 1—NEW PASSENGER AUTOMOBILES INCREASE IN EXCISE TAX; CLARIFICATION

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 1, Revision 1, is hereby issued.

#### STATEMENT OF CONSIDERATIONS

Ceiling Price Regulation 1, Revision 1, provides that manufacturers of passenger automobiles may, in addition to the ceiling price established in that regulation, make separate charges for transportation, federal excise taxes, and handling and delivery, or other charges in accordance with their usual practice on December 1, 1950. Inquiries received by the Office of Price Stabilization indicate that there is some question as to whether manufacturers whose practice it was to include the federal excise tax in their charge for extra, special or optional equipment, may increase their charge to reflect the higher excise tax effective November 1, 1951.

This amendment to CPR 1, Revision 1, clarifies the intention to allow all passenger automobile manufacturers to pass along the increase in the federal excise tax in their selling price or charge for extra, special or optional equipment, even when the tax is not separately stated.

Before the issuance of this amendment, consultation was held with representatives of the manufacturers affected and full consideration was given to their recommendations.

#### AMENDATORY PROVISIONS

Ceiling Price Regulation 1, Revision 1, is amended in the following respect:

Section 4 (c) is amended to read as follows:

(c) In addition to the ceiling price you may make separate charges for transportation, federal excise taxes, and handling and delivery, or other charges, in accordance with your usual practice on December 1, 1950. If it was your practice to include in your charge for extra, special or optional equipment the federal excise tax, you may increase your charge for such equipment to reflect any increase in such tax after the effective date of this regulation. You shall not change the practice which you then followed with respect to transportation charges, financing, taxes or other charges incident to the sale or delivery of new automobiles where the effect of such change would be to increase the cost to the purchaser, nor may you increase the handling and delivery charge above the charge in effect on the date of issuance of this revised regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

*Effective date.* This amendment shall become effective November 26, 1951.

MICHAEL V. DISALLE,  
Director of Price Stabilization.

NOVEMBER 20, 1951.

[F. R. Doc. 51-14018; Filed, Nov. 20, 1951; 11:32 a. m.]

[Ceiling Price Regulation 17, Supplementary Regulation 4]

#### CPR 17—GASOLINES, NAPHTHAS, FUEL OILS AND LIQUEFIED PETROLEUM PRODUCTS, NATURAL GAS, PETROLEUM GAS, CASINGHEAD GAS AND REFINERY GAS

#### SR 4—SALES OF CERTAIN PETROLEUM PRODUCTS IN THE GREATER BOSTON AREA

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation No. 4 to Ceiling Price Regulation 17 (16 F. R. 3033), is hereby issued.

#### STATEMENT OF CONSIDERATIONS

In the Statement of Considerations of Ceiling Price Regulation 17 there is a stipulation that "it is the intention of the Director of Price Stabilization to establish specific area price ceilings for as many of these (petroleum) products as is feasible." The present supplementary regulation is designed to carry out the Director's intention in one locality—the Greater Boston (Massachusetts) area—by spelling out specific ceiling prices in cents per gallon for Range Oil, No. 1 Fuel Oil, Kerosene and Nos. 2, 3 and 4 Distillate Fuel Oil at (1) refineries and tanker terminals, (2) terminals other than tanker or barge terminals, (3) jobbers' barge terminals, (4) jobbers' bulk plants, and (5) delivered in tank wagons.

As a prerequisite to a spell-out of prices in that area the Boston Regional Office has completed a survey which included consulting with all segments of industry, and has proposed appropriate price action. This supplementary regulation, embodying the proposals, does not contain any basic price changes.

A fractional upward adjustment of tank wagon delivery prices and of prices at certain primary inland terminals and jobbers' bulk plants is incorporated in the spelled out prices to include increases in costs of transportation as permitted by the Massachusetts Department of Public Utilities subsequent to January 25, 1951. Transportation cost increases have averaged about .03 of a cent per gallon, but in no case has this cost increased by more than  $\frac{1}{10}$  of a cent per gallon. To conform with the customary pricing practice in the Greater Boston Area of adjusting prices by tenths of a cent, and to provide uniformity throughout the area, one-tenth of a cent has been added to the base period tank wagon ceiling prices. In the case of inland terminals and jobbers' barge terminals or bulk plants one-twentieth of a cent has been added to cover the additional transportation costs to those points.

#### FINDINGS OF THE DIRECTOR OF PRICE STABILIZATION

In the judgment of the Director of Price Stabilization the specific ceiling prices established by this supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

#### AMENDATORY PROVISIONS

Sec.

1. Applicability of supplementary regulation.
2. Definitions.
3. Specific prices in the Greater Boston Area.
4. Applicability of CPR 17 provisions.

*AUTHORITY:* Sections 1 to 4 issued under sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2101-2110. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

**SECTION 1. Applicability of supplementary regulation.** This supplementary regulation sets specific ceiling prices (in the Greater Boston Area of Massachusetts) in cents per gallon for Range Oil, No. 1 Fuel Oil, Kerosene, and Nos. 2, 3, and 4 Distillate Fuel Oil at refineries, the primary terminals, and jobbers' barge terminals, the jobbers' bulk plants and delivered in tank wagons. These ceiling prices shall apply notwithstanding the pricing provisions of Ceiling Price Regulation 17.

**SEC. 2. Definitions.** (a) A barge terminal reseller means a barge buyer who purchases petroleum products for transportation to a water-way terminal for storage and resale.

(b) A tank car buyer is one to whom a specific seller or group of sellers has customarily and regularly sold on the basis of the tank car price.

(c) A tank wagon rack buyer is one who purchases at the rack in tank wagon lots and who has customarily and generally bought at a differential under the tank wagon price.

(d) The Greater Boston Area of Massachusetts means that area contained in the corporate limits of the following Massachusetts cities and towns: Arlington, Bedford, Belmont, Boston (including Allston, Brighton, Charlestown, Dorchester, East Boston, Forest Hills, Hyde Park, Jamaica Plain, Mattapan, Roslindale, Roxbury, South Boston, West Roxbury), Braintree, Brookline, Burlington, Cambridge, Canton, Chelsea, Cohasset, Dedham, Dover, Hingham, Hull, Lexington, Lincoln, Malden, Medford, Melrose, Milton, Needham, Newton, Quincy, Reading, Revere, Somerville, Stoneham, Wakefield, Waltham, Watertown, Wellesley, Weston, Westwood, Weymouth, Winchester, Winthrop, and Woburn.

**SEC. 3. Specific prices in the Greater Boston Area.** The ceiling prices for sales and deliveries in the Greater Boston Area of Massachusetts for the petroleum products for the type of sale and to the class of purchasers as set forth below shall be as follows:



Type of sale	Range oil, No. 1 fuel oil, kero- sene	Nos. 2, 3, and 4 dis- tillate fuel oil
Sales at refineries-tanker termi- nals:	Cents per gallon	Cents per gallon
To barge terminal resellers.....	10.05	9.05
To barge buyers.....	10.20	9.20
To tank car buyers.....	10.30	9.30
To tank wagon rack buyers.....	10.90	9.90

Where a seller at the refinery or tanker terminal level customarily sold to a barge terminal reseller or barge buyer at the tank car price during the base period, such seller may continue such practice.

Type of sale	Range oil, No. 1 fuel oil, kero- sene	Nos. 2, 3, and 4 dis- tillate fuel oil
Sales at primary terminals other than tanker terminals:	Cents per gallon	Cents per gallon
Pipeline and barge; To tank car buyers.....	10.40	9.40
Other inland:		
To tank car buyers.....	10.45	9.45
To tank wagon rack buyers.....	10.95	9.95
Sales at jobbers' barge terminals:		
To tank wagon rack buyers.....	10.95	9.95
Sales at jobbers' bulk plants:		
To tank wagon rack buyers.....	11.15	10.15
Delivered in tank wagons.....	14.6	12.6
Seller may add his customary price differentials on hose deliveries of range oil, No. 1 fuel oil, kerosene for quantities of less than 100 gallons, with maximum price of.....	15.6	-----
Carried in cans.....	18.1	-----

SEC. 4. *Applicability of CPR 17 provisions.* (a) Sellers covered by this supplementary regulation shall remain subject to all the provisions of Ceiling Price Regulation 17 except such provisions as are inconsistent herewith, and except the provisions of sections 25 and 26 thereof.

(b) Sellers covered by this supplementary regulation must maintain customary discounts and allowances based upon terms and conditions of sale.

*Effective date.* This supplementary regulation shall become effective November 26, 1951.

MICHAEL V. DiSALLE,  
Director,  
Office of Price Stabilization.

NOVEMBER 20, 1951.

[F. R. Doc. 51-14019; Filed, Nov. 20, 1951;  
11:32 a. m.]

[General Ceiling Price Regulation, Amdt. 22,  
Correction]

#### GENERAL CEILING PRICE REGULATION REVISION OF EXEMPTION COVERING MISCEL- LANEOUS POULTRY AND RABBITS

Due to a clerical error the Regulatory Provisions of Amendment 22 to the General Ceiling Price Regulation contains a section 2 which provides that, by the addition of a paragraph 20 to G. C. P. R. section 14 (s), all raw and unprocessed landfowl and waterfowl feathers are exempted from the G. C. P. R. Issued simultaneously with G. C. P. R., Amendment 22, was General Overriding Regulation 4, Amendment 2 which exempted all raw and unprocessed landfowl and waterfowl feathers from any price control. In the light of Amendment 2 to

GOR 4, any exemption of these raw feathers from the G. C. P. R. by way of an Amendment to section 14 (s) is superfluous.

Accordingly, the Amendatory Provisions of Amendment 22 to the G. C. P. R. are corrected so as to delete section 2 thereof. As thus corrected, the Amendatory Provisions of Amendment 22 shall read as follows:

The General Ceiling Price Regulation is amended in the following respect: Section 14 (s) (18) is amended by deleting the words "provided that the feathers of geese are not covered by this exemption," so that (18) reads as follows:

(18) All domestically produced and imported geese, guineas, squabs, pigeons, quail, partridges, pheasants, rabbits and hares, whether in processed or unprocessed form, and at all levels of purchase and sale.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

EDWARD F. PHELPS, Jr.,  
Acting Director of Price Stabilization.

NOVEMBER 20, 1951.

[F. R. Doc. 51-14020; Filed, Nov. 20, 1951;  
11:32 a. m.]

[General Overriding Regulation 7, Amdt. 7]

#### GOR 7—EXEMPTION OF CERTAIN FOOD AND RESTAURANT COMMODITIES

##### NATURAL OR DISTILLED WATER

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105) and Economic Stabilization General Order No. 2 (16 F. R. 738), this Amendment 7 to General Overriding Regulation 7 is hereby issued.

##### STATEMENT OF CONSIDERATIONS

This amendment to General Overriding Regulation 7 exempts from price control sales of natural or distilled water when it is neither flavored nor carbonated. Amendment 3, issued and effective July 25, 1951, exempted the sales of such water from price control when sold in bottles, and it was intended to exempt all sales of this water by that amendment. It was not known at the time of issuance of Amendment 3 that such water is sold in any other form but in bottles. It has come to the attention of the Office of Price Stabilization that the waters exempted by Amendment 3 are sometimes sold in bulk to buyers who furnish their own containers, usually tank trucks. These waters are also sold in containers of cardboard, paper, fiber, and other materials. Since it was the intention of the Director of Price Stabilization to exempt from price control all sales of natural or distilled water when it is neither carbonated nor flavored, the accompanying amendment exempts such sales as were inadvertently omitted in Amendment 3. The reasons for the exemptions provided by the accompanying amendment are the same as those set forth in the Statement of Considerations to Amendment 3.

In formulating this amendment, the Director of Price Stabilization has consulted with representatives of industry to the extent practicable, and has given full consideration to their recommendations. In his judgment the exemptions provided by the accompanying amendment will in no way defeat or impair the price stabilization program or the objectives of the Defense Production Act of 1950, as amended.

##### AMENDATORY PROVISIONS

Section 6 of General Overriding Regulation 7 is amended to read as follows:

SEC. 6. *Natural or distilled water.* No ceiling price regulation heretofore issued or which may hereafter be issued by the Office of Price Stabilization shall apply to sales of natural or distilled water, provided it is neither carbonated nor flavored.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

*Effective date.* This amendment is effective November 24, 1951.

MICHAEL V. DiSALLE,  
Director of Price Stabilization.

NOVEMBER 20, 1951.

[F. R. Doc. 51-14021; Filed, Nov. 20, 1951;  
11:32 a. m.]

#### Chapter IV—Salary and Wage Sta- bilization, Economic Stabilization Agency

##### Subchapter B—Wage Stabilization Board

[General Wage Regulation 14,  
Interpretations]

##### GWR 14—BONUSES

##### INTERPRETATIONS

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), Executive Order 10233 (16 F. R. 3503), and General Order No. 3, Economic Stabilization Administrator (16 F. R. 739), the following interpretations to General Wage Regulation 14 (16 F. R. 7509, 1958), are hereby issued.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

NATHAN P. FEINSINGER,  
Chairman.

##### QUESTIONS AND ANSWERS ON GENERAL WAGE REGULATION 14

1. Q. To what types of bonuses does GWR 14 apply?

A. GWR 14 is applicable to bonuses, including profit sharing bonuses, as to which the employer has reserved discretion with respect to (a) whether he will pay a bonus, or (b) the computation of a bonus pool or (c) the allocation of a bonus pool among his employees. GWR 14 is not applicable to a contractual bonus, to normal production bonuses paid to piece and incentive workers, to commission payments or to bonuses computed more frequently than every three months. A "contractual bonus", as used in these questions and answers,



means a bonus payment which by the terms of an agreement, or policy, or procedure, in effect on January 25, 1951 provided a definite method or formula for both the computation and allocation of the bonus and which conferred upon an employee or employees a contractual right to receive the bonus in accordance with such method or formula.

2. Q. May an employer continue to pay a contractual bonus?

A. General Wage Stabilization Reg. 1 permits the continued payment of a contractual bonus which was in effect on January 25, 1951. The limitations in section 2 (b) and (c) of GWR 14 do not apply to contractual bonuses.

3. Q. May any bonuses other than a contractual bonus and bonuses permissible under GWR 14 be paid without WSB approval?

A. Such bonuses may be paid without prior Board approval to the extent permitted by GWR 6.

4. Q. Are bonuses covered by GWR 14 included in the computation of the wage or salary level for the base pay period under GWR 6?

A. No.

5. Q. Are contractual bonuses included in the computation of the wage or salary level for the base pay period under GWR 6?

A. A contractual bonus which was in effect on January 15, 1950 is included in the computation of the wage or salary level for the base pay period.

6. Q. May an employer continue to pay a bonus which is computed more frequently than every three months?

A. A bonus computed more frequently than every three months is not covered by GWR 14. However, such bonus may be paid under General Wage Stabilization Reg. 1 if it is a contractual bonus. A bonus which is not a contractual bonus and is computed more frequently than every three months may not be paid without prior approval of the WSB.

7. Q. When is a bonus "computed" for the purpose of GWR 14?

A. A bonus is "computed" within the meaning of GWR 14 when the amounts to which individual employees are entitled is fixed.

8. Q. Is a bonus payment within GWR 14 where an employer sets aside funds each month towards a bonus pool?

A. Yes, provided that the amount payable to individual employees is not customarily computed more frequently than every three months.

9. Q. In each year since 1945 an employer established a fund from which he distributed bonuses by setting aside a varying portion of his earnings, depending upon the success of the business operations during the year and the expectation of future earnings. The bonus fund for the past several years has varied from 7 to 12 percent of the employer's net profits. Does such bonus practice satisfy the requirements of section 2?

A. No. Section 2 applies only to an established plan which predetermines, on a precise and objective basis, the method or formula for computing the total bonus for the employees in the particular bonus group. The plan must be of such character that the total bonus pool for any

year can be precisely determined from the books and records of the employer. However, bonus payments may be made pursuant to section 3.

10. Q. Same facts as in question 9, except that the total bonus paid in 1949 and in 1950 was 10 percent of the employer's net profits for each such year. May the employer distribute 10 percent of his earnings as bonuses in 1951 under section 2 of this regulation?

A. Yes. If the employer used the identical method or formula for computing the total annual bonus in each year after January 25, 1949, the bonus payments conform to an "established plan" within the meaning of section 2.

11. Q. An employer has had a plan for two or more years whereby the total bonus, the amount of which was arbitrarily determined each year by the employer, was distributed to employees in accordance with service credits received for each year of continuous employment. Does this plan meet the requirements of section 2 with respect to an established plan?

A. No. There is no established plan since an essential requirement of section 2 is that the employer has not retained any discretion in computing the total bonus for the employees in the particular bonus group. Therefore, if the employer may arbitrarily determine the total bonus to be distributed to the employees, the plan does not satisfy the requirements of section 2 despite the fact that the distribution may be on a precise and objective basis. However, bonus payments may be made to the extent permitted by section 3.

12. Q. An employer has an established plan where under 5 percent of the employer's annual profits before taxes has been allocated for the payment of bonuses to the individual employees. However, the plan does not set forth the basis upon which the distribution of the total bonus is made and, in the past, the employer exercised his discretion with respect to the amount of bonus payment made to each employee. Does this plan meet the requirements of section 2?

A. Yes. The critical element of section 2 is the computation of the total bonus. So long as there is a precise and objective basis for computing the total bonus, it is immaterial that the manner of distribution of the bonus among the employees lies within the discretion of the employer, provided that the employer observes the limitations of paragraph (b) of section 2.

13. Q. May the method of computation under an established plan be changed to permit an increase in the total bonus not in excess of an amount which would be permissible under GWR 6 without affecting the qualification of the bonus plan under section 2?

A. No. Section 2 (b) provides that the method of computation of the amounts or percentages used in 1950 shall not be changed in subsequent years. If an employer wishes to distribute as bonuses an amount which is available under GWR 6 he may do so by treating such payments as new bonuses. Such payments, therefore, would be made separate and apart from the employer's established bonus plan.

14. Q. An employer has an established plan pursuant to which he distributed a fixed percentage of his net profits to a particular group of employees. In 1950 the total bonus was \$1,000 and there were 4 employees in the particular bonus group who received bonuses in the following amounts: \$500, \$300, \$100, \$100, which were respectively 50, 30, 10, and 10 percent of the bonus fund.

(a) Q. If in 1951 under the established plan the total bonus is computed to be \$1,000 and there are 3 employees in the particular bonus group, may the entire \$1,000 be distributed among the 3 employees?

A. No. The maximum bonus which may be distributed among these employees is \$750. The average amount of bonus paid in 1950 was \$250 and the average percentage of the total of the bonuses paid to the employees was 25 percent. Pursuant to section 2 (b) (1), the employees may not be paid bonuses in 1951 which would exceed the average amount or percentage, whichever is higher, paid in the preceding year. For the purposes of section 2, percentages will be computed in terms of the total bonus pool because the significant relationship contemplated is between the bonuses paid the employees and the total bonus pool. In this case either test limits the average bonus which may be paid in 1951 to \$250. Therefore, \$250 multiplied by the number of employees in the particular bonus group is the total bonus which may be distributed among such employees.

(b) Q. If in 1951 under the established plan the total bonus is computed to be \$2,000 and there are 4 employees in the particular bonus group, may the entire \$2,000 be distributed among the 4 employees?

A. Yes. The average percentage of the total of the bonuses paid to the employees in 1950 was 25 percent. Accordingly, the total bonus may be distributed among the 4 employees since the average bonus would not then exceed 25 percent.

(c) Q. Under (b) above, what is the largest bonus which may be paid any employees in the particular bonus group?

A. Pursuant to section 2 (b) (2), the largest bonus which may be paid to any employee in a particular bonus group is the greater of either (1) the largest bonus paid to any employee in such group in the preceding bonus year, or (2) the same percentage of the total bonus as was received by the employee who received the largest bonus in the preceding bonus year. In 1950 the employee who received the largest bonus was paid \$500 which was 50 percent of the total bonus fund. Because in 1951 the total bonus fund is \$2,000, the largest bonus which may be paid to any employee in the particular bonus group is 50 percent of \$2,000, or \$1,000.

(d) Q. If in 1951 under the established plan the total bonus is computed to be \$2,000 and there are 3 employees in the particular bonus group, may the entire \$2,000 be distributed among the 3 employees?

A. No. The maximum bonus which may be distributed among these employees is \$1,500. The average amount



of bonus paid in 1950 was \$250 and the average percentage of the total bonus paid to the employees in 1950 was 25 percent. Pursuant to section 2 (b) (1), the employees may not be paid bonuses in 1951 which shall exceed the average amount or percentage, whichever is higher, paid in the preceding year. In this case, using the percentage test, which results in the higher amount, the employer may distribute \$1,500 (25 percent  $\times$  \$2,000  $\times$  3).

(e) Q. Under the facts in (d), what is the largest bonus which may be paid to any employee in the particular bonus group?

A. \$750 (50 percent  $\times$  \$1,500) is the largest bonus which may be paid to any employee in the particular bonus group. In other words, the bonus pool for the application of the rationale in (c) above, is the total bonus which may be distributed.

15. Q. Same facts as in Q. 14 above except that in the year 1950 there were 8 employees in the particular bonus group of whom 4 employees received bonuses in the following amounts: \$500, \$300, \$100, \$100. If in 1951 under the established plan the total bonus is again computed to be \$1,000 and there are 6 employees in the particular bonus group, may the entire \$1,000 be distributed among these employees?

A. Yes. Under section 2 (b) (1) the average among or percentage of bonus paid to the employees in the current bonus year shall not exceed the average amount or percentage paid in the preceding bonus year. The phrase "paid to the employees" as used in section 2 (b) (1) refers to the employees who received bonuses rather than to all the employees in the particular group. Accordingly, in this case, the average amount of bonus paid in 1950 was \$250 and the average percentage of the total of the bonuses paid to the employees was 25 percent. Therefore, so long as the employer gives bonuses in the current bonus year to 4 or more employees he may distribute the entire \$1,000.

16. Q. Under a profit sharing plan which satisfies the requirements of section 2, the employer paid a bonus in 1949, but paid no bonus in 1950 because there were no profits from which to pay a bonus under the plan. If in 1951, under the operation of the plan, a bonus distribution is required to be made, how shall section 2 (b) (1) and (2) be applied?

A. For the purposes of section 2 (b), "preceding bonus year" refers to the last year in which a bonus distribution was made under the operation of the same plan. Accordingly, in this case, the employer, in applying section 2 (b) (1) and (2), should use his 1949 experience under the plan.

17. Q. To what extent do the limitations of section 2 (b) apply to a bonus plan which meets the requirements of section 2 (a) (ii) or (iii) but under which the initial bonus payment will be made after January 25, 1951?

A. In such case the employer may exercise his discretion in the initial distribution of the total bonus. However, subsequent bonus payments are subject to the limitations of section 2 (b).

18. Q. May an employer, pursuant to section 2, pay to an individual employee a bonus which exceeds in amount 25 percent of the employee's total remuneration?

A. Yes. However, section 2 (c) provides that any established plan, which has resulted or may result in the payment to an individual employee of a total bonus in any bonus year of 25 percent or more of his total wages, salaries, and other compensation, excluding bonuses, in any such year, shall be submitted for post-review to the nearest appropriate office of the Wage and Hour Division within three months following the effective date of this regulation, which is July 30, 1951. The employer may continue to pay bonuses in conformance with his established plan until and unless he is advised to the contrary by the Wage Stabilization Board.

19. Q. Although there was no change in the method or formula for computing the bonuses, nevertheless, the dollar amount of the bonus payment in 1951, permitted under section 2, exceeded the dollar amount of the bonus payments in 1950. In such case, is it necessary to offset any portion of the 1951 bonus against the total amount of future increases permitted by GWR 6?

A. No.

20. Q. An employer has had no established bonus plan, but at the end of the year 1950 he distributed \$1,200 as bonuses to 4 employees out of a total of 8 employees in an appropriate employee unit. The gross annual earnings, excluding bonuses, of all the employees in the unit in 1950 was \$24,000. The total bonus payments therefore were equal to 5 percent of the gross annual earnings of the employees in the unit. The bonuses paid to the 4 employees were in the following amounts: \$480, \$420, \$200, \$100. In 1951 there are 16 employees in the unit and the gross annual earnings, excluding bonuses, of these employees in such year are \$52,000.

(a) Q. What is the maximum number of employees in the unit who may be paid bonuses in 1951 under section 3?

A. Eight. In the preceding bonus year 50 percent of the employees in the unit were paid bonuses, therefore, no more than 50 percent of the employees in the unit may be paid bonuses in the current bonus year.

(b) Q. What is the maximum amount which the employer may distribute as bonuses to the employees in the unit under section 3?

A. \$2,600. The average amount of bonus paid in the preceding bonus year was \$300 (\$1,200  $\div$  4) and the average percentage of bonus was 5 percent (\$1,200  $\div$  \$24,000). Pursuant to section 3, the employees in the unit may be paid bonuses which do not exceed the average amount of percentage, whichever is higher, of bonuses paid in the preceding bonus year. In this case using the average amount test there would be a maximum \$2,400 available for bonuses (\$300  $\times$  8) and using the average percentage test there would be a maximum of \$2,600 available for bonuses (\$52,000  $\times$  5 percent). For the purposes of

section 3, percentages will be computed in the terms of gross annual earnings, excluding bonuses. Because the total bonus fund in such cases cannot be precisely and objectively computed, the significant relationship, therefore, is between the bonuses paid the employees and the gross annual earnings, excluding bonuses, of the unit.

(c) Q. What is the largest bonus which may be paid any employee in the unit in the current bonus year under section 3?

A. \$1,040. The largest bonus which may be paid to an employee in the unit in the current bonus year is the greater of either (1) the largest bonus paid to any employee in the unit in the preceding bonus year (in this case \$480), or the same percentage of bonus as was paid to the employee who received the largest bonus in the preceding bonus year. Such percentage is obtained from the ratio of the largest bonus to the gross earnings of all the employees in the unit in the preceding bonus year (\$480  $\div$  \$24,000, or 2 percent). Thus in the current bonus year, using the percentage test, the maximum permissible bonus is \$1,040 (\$52,000  $\times$  2 percent).

21. Q. Does "appropriate employee unit" as used in section 3 of GWR 14 have the same meaning as in section 2 (b) of GWR 6?

A. Yes.

22. Q. If the employer wishes in 1951 to pay an employee a bonus in accordance with section 3, but the proposed bonus is in excess of 25 percent of such employee's total remuneration for the year 1951, what is the maximum bonus which may be paid the employee without prior WSB approval?

A. The maximum bonus which may be paid without prior approval of the Board is an amount equal to 25 percent of the employee's total remuneration for the year 1951. This contrasts with the rule which is applicable in such cases if the bonus payment is made under section 2. (See Question and Answer No. 18 above.)

23. Q. Do the references to "preceding bonus year" in section 3, apply to the last year in which the employer paid a bonus?

A. No. As used in section 3, the "preceding bonus year" may not include any period antedating January 1, 1950. Thus, if an employer paid a bonus in 1949 but paid no bonus in 1950, he may not pay a bonus in 1951 under the authority of section 3. This contrasts with the rule which is applicable in such cases if the bonus payment is made under section 2. (See Question and Answer No. 16 above.)

24. Q. An employee was paid a year-end bonus in 1950. May such employee be paid quarterly bonuses in 1951 under section 2 or 3?

A. Yes. The regulation does not prohibit an employer from changing the frequency of bonus payments provided that no bonus payment exceeds the accrued value of the total bonus from the beginning of the bonus period to the date of payment.

[F. R. Doc. 51-13935; Filed, Nov. 19, 1951; 10:39 a.m.]



**Chapter VI—National Production Authority, Department of Commerce**

[NPA Order M-90]

**M-90—COLOR TELEVISION**

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this order there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

**Sec.**

1. What this order does.
2. Definitions.
3. Prohibition on manufacture.
4. Request for adjustment or exception.
5. Communications.
6. Violations.

**AUTHORITY:** Sections 1 to 6 issued under sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789.

**SECTION 1. What this order does.** This order prohibits the manufacture of sets designed to receive color television, and items solely designed to permit or facilitate the reception of color television. The manufacture of color television for experimental, defense, industrial, and certain hospital and educational uses is permitted.

**SEC. 2. Definitions.** As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States Government or of any other government.

(b) "Controlled material" means steel, copper, and aluminum in the forms and shapes indicated in Schedule I of CMP Regulation No. 1, as from time to time amended.

**SEC. 3. Prohibition on manufacture.** (a) Except as otherwise provided in this section, no person shall, after the effective date of this order, produce or assemble any television set designed to receive or capable of receiving color television; nor shall any person produce or assemble any product, attachment, or part designed solely to permit or facilitate, or capable only of permitting or facilitating, the reception of color television.

(b) Nothing in this order shall be deemed to prohibit the production, assembly, or use of any commodity, equipment, accessory, part, assembly, product, or material, of any kind, in accordance with the provisions of NPA Order M-71 (Priorities Assistance to Technical and Scientific Laboratories), or in accordance with the requirements or specifications of the Department of Defense or the Atomic Energy Commission, as set forth in any contract calling for the delivery of any product for the manufacture of which the Department of De-

fense or the Atomic Energy Commission shall have allotted controlled material.

(c) Nothing in this order shall be deemed to prohibit the manufacture of color television equipment for use on a closed circuit for industrial purposes, or by hospitals or educational institutions for instructional purposes.

**SEC. 4. Request for adjustment or exception.** Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment or exception claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, by letter in triplicate, and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

**SEC. 5. Communications.** All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: NPA Order M-90.

**SEC. 6. Violations.** Any person who willfully violates any provision of this order, or any other order or regulation of NPA, or who willfully furnishes false information or conceals any material fact in the course of operation under this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

This order shall take effect on November 20, 1951.

**NATIONAL PRODUCTION AUTHORITY,**

By **JOHN B. OLVERSON,**  
Recording Secretary.

[F. R. Doc. 51-14017; Filed, Nov. 20, 1951;  
11:24 a. m.]

**TITLE 33—NAVIGATION AND NAVIGABLE WATERS**

**Chapter II—Corps of Engineers, Department of the Army**

**PART 208—FLOOD CONTROL REGULATIONS**

**SHADEHILL DAM AND RESERVOIR, GRAND RIVER, PERKINS COUNTY, SOUTH DAKOTA**

Pursuant to the applicable provisions of Sections 7 and 9 of the Act of Congress approved December 22, 1944 (58 Stat. 890, 891; 33 U. S. C. 709), the following regulations are hereby prescribed to

govern the use of storage capacity for flood control purposes in the Shadehill Reservoir on Grand River, Perkins County, South Dakota, and the operation of Shadehill Dam for flood control purposes.

**§ 208.37 Shadehill Dam and Reservoir, Grand River, Perkins County, South Dakota.** The Bureau of Reclamation, Department of the Interior, represented by its appropriate Regional Director, hereinafter referred to as the Regional Director, shall operate the Shadehill Dam and Reservoir in the interest of flood control as follows:

(a) The flood-control storage capacity of the reservoir, which initially amounts to 216,000 acre-feet, between elevations 2,272.0 and 2,302.0 will be operated to restrict discharges to the capacity of the ungated glory-hole service spillway (except as necessary for irrigation requirements) unless otherwise directed by the District Engineer, Corps of Engineers, Department of the Army, in charge of the locality, hereinafter referred to as the District Engineer. Whenever necessary in the interest of flood control, the District Engineer will issue instructions to the Regional Director as to release of the flood control storage through the irrigation outlet works. Such operation will be in the interest of local flood control and to coordinate the flood control operation of the reservoir with other reservoirs in the Grand and Missouri River Basins.

Oral instructions from the District Engineer to the Regional Director shall be confirmed in writing under date of the day issued.

(b) The discharge characteristics of the ungated glory-hole service spillway (having an estimated capacity of 5,200 c. f. s. with reservoir level at elevation 2,302.0) shall be maintained in accordance with the construction plans (Bureau of Reclamation Specifications No. 2421 as modified by Construction Drawings No. 276-D-119 and 276-D-120).

(c) Proposed schedules of irrigation releases and storage changes, if available, and current operating data shall be provided to the District Engineer by the Regional Director. These data shall be tabulated daily and furnished periodically as required, and shall include such items as: reservoir elevation, reservoir storage, inflow, discharge, and pertinent available hydrologic data.

(d) Whenever the reservoir level reaches or exceeds elevation 2,272.0, or flood discharges appear imminent, the Regional Director shall report at once to the District Engineer by telephone, telegraph, or radio, and as requested thereafter until the reservoir level falls to elevation 2,272.0 or below and flood discharges cease.

(e) Nothing in the regulations in this section shall be construed to require that releases shall be made at rates or in a manner that would be inconsistent with requirements for protecting the dam and reservoir from damage.

(f) All elevations stated in this section are at the Shadehill Dam and are re-



ferred to a datum giving 2,272.0 as the elevation of the service spillway crest.

[Regs. Oct. 25, 1951, ENGWE] (58 Stat. 890; 33 U. S. C. 709)

[SEAL] WM. E. BERGIN,  
Major General, U. S. Army,  
The Adjutant General.

[F. R. Doc. 51-13876; Filed, Nov. 20, 1951;  
8:49 a. m.]

## TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

### Chapter I—Veterans' Administration

#### PART 3—VETERANS' CLAIMS

##### PRESUMPTION OF SERVICE-CONNECTION FOR MULTIPLE SCLEROSIS

A new § 3.1514 is added as follows:

§ 3.1514 *Presumption of service-connection for multiple sclerosis under paragraph I (c), Part I, Veterans Regulation 1 (a), as amended (38 U. S. C. ch. 12)*—  
(a) *Presumptive service-connection for multiple sclerosis.* Under the provisions of paragraph I (c), Part I, Veterans Regulation 1 (a), as amended by Public Law 174, 82d Congress, multiple sclerosis developing to a 10-percent degree of disability or more within 2 years from date of separation from active wartime service, or where service began prior to January 1, 1947, and extended thereafter, within 2 years from July 25, 1947, or where there was service on or after June 27, 1950, within 2 years from separation from active service or from the termination date prescribed by Public Law 28, 82d Congress, whichever is the earlier, will be considered as having been incurred in service when the conditions of paragraph I (c), Part I, Veterans Regulation 1 (a), as amended, are met. Section 3.80 (c) precludes any presumption of aggravation in this connection.

(b) *Effective dates of evaluations and awards.* The effective dates of evaluations and awards, in both original claims and the claims reviewed, will be in accordance with the provisions of controlling regulations, provided that in no event will benefits under Public Law 174, 82d Congress, be awarded prior to the date of enactment thereof. In the case of a claim wherein service-connection was previously denied for multiple sclerosis on the date of the passage of Public Law 174, 82d Congress, or in a claim for Part III benefits filed on or before October 12, 1951, with a notation of multiple sclerosis on the rating sheet, reviewed under this section either on motion of the Veterans' Administration, or upon receipt of request from the veteran or his representative, or where a claim is in a pending or appellate status on the date mentioned, and entitlement to benefits is shown, the effective date of the evaluation and award will be the date of Public Law 174, 82d Congress, October 12, 1951. (Instruction 1, Public Law 174, 82d Congress.)

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

This regulation is effective November 21, 1951.

[SEAL] O. W. CLARK,  
Deputy Administrator.

[F. R. Doc. 51-13914; Filed, Nov. 20, 1951;  
8:52 a. m.]

#### PART 4—DEPENDENTS AND BENEFICIARIES CLAIMS

##### MISCELLANEOUS AMENDMENTS

1. In § 4.173, a new paragraph (c) is added as follows:

§ 4.173 *Service-connection in death cases for coronary occlusion or coronary thrombosis.* \* \* \*

(c) On and after May 11, 1951, the criteria in paragraph (a) of this section is applicable to service comprehended by Public Law 28, 82d Congress, as defined in § 3.0 (c) of this chapter.

2. In § 4.178, the title and paragraphs (a) and (b) are amended to read as follows:

§ 4.178 *World War II or Korean conflict (Public Law 28, 82d Congress); establishment of service-connected disability of less than 10 per centum (section 4, Public Law 312, 78th Congress, act of May 27, 1944, as amended, section 6, Public Law 483, 78th Congress, act of December 14, 1944)*—(a) *Basic entitlement.* On and after May 27, 1944, as to World War II service or on or after May 11, 1951, as to Korean conflict service, the existence of a service-connected disease or injury at death and the determination of a disability resulting from such disease or injury for which compensation would be payable if 10 per centum or more in degree may be based upon evidence filed at any time subject to the limitations contained in paragraph II, Part II, Veterans Regulation 2 (a), and paragraph 1, I (a) (3), Veterans Regulation 2 (d). Any disability that may be properly service-connected under the provisions of Part I, Veterans Regulation 1 (a), Public No. 2, 73d Congress, as amended, based on World War II service as defined in § 3.0 (b) of this chapter or Korean conflict service as defined in § 3.0 (c) of this chapter, will be considered service-connected for the purpose of section 4, Public Law 312, 78th Congress, as amended.

(b) *Definition of term "disability."* The term "disability," as used in this section, shall comprehend any disease or injury existing at death for which service-connection is established in accordance with laws applicable to World War II or the Korean conflict and which constitutes a disability as defined by the regulations and rating criteria applicable to Public No. 484, 73d Congress, as amended.

3. In § 4.182, paragraph (a) is amended to read as follows:

§ 4.182 *Interpretation of "at time of death was receiving or entitled to receive compensation or retirement pay" for purpose of Public No. 484, 73d Congress (act of June 28, 1934), as amended, or*

*section 4, Public Law 312, 78th Congress (act of May 27, 1944), as amended.* (a) In the case of any deceased person who served in World War I or World War II, or the Korean conflict, an evaluation of 10 per centum or more disability in effect at death established by a proper rating agency based on service connected disease or injury, as defined in §§ 4.176 (a) and 4.178 (a), will be accepted as showing that such person was receiving or entitled to receive compensation or retirement pay, regardless of the particular Rating Schedule under which evaluated, except for fraud or where there was no legal basis for an award, as distinguished from errors such as those involving judgment, medical opinion, or diagnosis.

4. In § 4.454 of the Provisional Regulations, paragraph (d) is deleted and former paragraph (e) is redesignated paragraph (d).

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

This regulation is effective November 21, 1951.

[SEAL] O. W. CLARK,  
Deputy Administrator.

[F. R. Doc. 51-13915; Filed, Nov. 20, 1951;  
8:52 a. m.]

## TITLE 49—TRANSPORTATION

### Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations  
[Docket No. 3666; Order 3]

#### PARTS 71-78—EXPLOSIVES AND OTHER DANGEROUS ARTICLES

##### MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 9th day of November 1951.

It appearing, that pursuant to the Transportation of Explosives Act of March 4, 1921 (41 Stat. 1444), sections 831-835 of Title 18 of the United States Code approved June 25, 1948, and Part II of the Interstate Commerce Act, as amended, the Commission has heretofore formulated and published certain regulations for the transportation of explosives and other dangerous articles;

It further appearing, that in application received we are asked to amend the aforesaid regulations as set forth in provisions made a part thereof.

It is ordered, That the aforesaid regulations for the transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

PART 72—COMMODITY LIST OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES CONTAINING THE SHIPPING NAME OR DESCRIPTION OF ALL ARTICLES SUBJECT TO PARTS 71-78 OF THIS CHAPTER

Amend § 72.5, Commodity List (15 F. R. 8263, Dec. 2, 1950) (16 F. R. 5322, June 6, 1951) (49 CFR 72.5, 1950 Rev.) as follows:

§ 72.5 *List of explosives and other dangerous articles.* (a). \* \* \*



## § 72.5 List of explosives and other dangerous articles. (a) \* \* \*

Article	Classed as—	Exemption and packing, see sec.	Label required if not exempt	Maximum quantity in 1 outside container by rail express
<i>Change</i>				
Projectiles, illuminating, incendiary or smoke. See § 73.56 and Special Fireworks.				
Toy caps	Expl. C	No exemption 73.100 (p), 73.109.		150 pounds.
<i>Add</i>				
Aliphatic mercaptan mixtures	F. L.	No exemption 73.141	Red	10 gallons.
Amyl mercaptan	F. L.	No exemption 73.141	Red	10 gallons.
Beryllium metal powder	Pois. B	No exemption 73.378	Poison	25 pounds.
Butyl mercaptan	F. L.	No exemption 73.141	Red	10 gallons.
Ethyl mercaptan	F. L.	No exemption 73.141	Red	10 gallons.
Hexaethyl tetraphosphate, liquid	Pois. B	73.345, 73.346	Poison	1 quart.
Hexaethyl tetraphosphate mixture, dry	Pois. B	73.345, 73.346	Poison	200 pounds.
Hexaethyl tetraphosphate mixture, liquid	Pois. B	73.345, 73.346	Poison	1 quart.
Igniter cord	Expl. C	No exemption 73.100 (s)		150 pounds.
Lithium hypochlorite compounds, dry, containing more than 8.80 percent available oxygen (39 percent available chlorine).	Oxy. M	73.217	Yellow	100 pounds.
Methyl hydrate. See Alcohol or alcohol, n. o. s.				
Parathion, liquid	Pois. B	No exemption 73.358	Poison	1 quart.
Parathion, mixture, dry	Pois. B	73.377	Poison	200 pounds.
Parathion, mixture, liquid	Pois. B	73.359	Poison	1 quart.
Projectiles, gas, nonexplosive. See Chemical Ammunition, class A, B, or C.				
Sodium methylate, dry	F. S.	73.153, 73.154	Yellow	100 pounds.
*Sodium methylate, alcohol mixture	F. L.	73.118, 73.119	Red	10 gallons.
Tetraethyl dithio pyrophosphate, liquid	Pois. B	73.345, 73.346	Poison	1 quart.
Tetraethyl dithio pyrophosphate, mixture, dry	Pois. B	73.364, 73.365	Poison	200 pounds.
Tetraethyl dithio pyrophosphate, mixture, liquid	Pois. B	73.345, 73.346	Poison	1 quart.
Tetraethyl pyrophosphate, liquid	Pois. B	73.345, 73.346	Poison	1 quart.
Tetraethyl pyrophosphate, mixture, dry	Pois. B	73.364, 73.365	Poison	200 pounds.
Tetraethyl pyrophosphate, mixture, liquid	Pois. B	73.345, 73.346	Poison	1 quart.
<i>Cancel</i>				
Projectiles, gas, smoke or incendiary nonexplosive. See Chemical Ammunition, class A, B, or C.				

## PART 73—SHIPPERS

## SUBPART A—PREPARATION OF ARTICLES FOR TRANSPORTATION BY CARRIERS BY RAIL, FREIGHT, RAIL EXPRESS, HIGHWAY, OR WATER

1. Add Note 2 to paragraph (g) of § 73.31 (15 F. R. 8278, 8279, Dec. 2, 1950) (49 CFR 73.31, 1950 Rev.) to read as follows:

§ 73.31 *Qualification, maintenance, and use of tank cars.* \* \* \* (g) \* \* \*

NOTE 2: Periodic retests of metal tanks, safety valves, and heater systems of ICC-103A, 103A-W, 103C, 103C-W, and 103C-AL tank cars (§§ 78.266, 78.281, 78.268, or 78.283 of this chapter), now required to be made as prescribed in paragraph (g) of this section, may be made at 5-year intervals up to 10 years of service, thereafter at 3-year intervals up to 22 years of service, and annually after 22 years of service until December 31, 1952, or until further order of the Commission.

2. Amend § 73.33 paragraph (k) (1) (15 F. R. 8281, Dec. 2, 1950), (49 CFR 73.33, Rev. 1950) to read as follows:

§ 73.33 *Qualification, maintenance, and use of cargo tanks.* \* \* \* (k) \* \* \*

(1) Every cargo tank which is constructed in accordance with or fulfilling the requirements of ICC Spec. MC 330 shall be tested at least once in every five years in accordance with paragraph (k) (2), (3) and (4) of this section.

## SUBPART B—EXPLOSIVES; DEFINITIONS AND PREPARATION

1. Add paragraph (p) to § 73.51 (15 F. R. 8285, Dec. 2, 1950) (49 CFR 73.51, 1950 Rev.) to read as follows:

§ 73.51 *Forbidden explosives.* \* \* \*

(p) Fireworks containing copper sulfate and a chlorate.

2. Amend § 73.54 paragraph (c) (15 F. R. 8286, Dec. 2, 1950) (49 CFR 73.54, 1950 Rev.) to read as follows:

§ 73.54 *Ammunition for cannon.* \* \* \*

(c) Ammunition for cannon must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

3. Amend § 73.56 paragraph (i) (15 F. R. 8286, Dec. 2, 1950) (49 CFR 73.56, 1950 Rev.) to read as follows:

§ 73.56 *Ammunition, projectiles, grenades, bombs, mines and torpedoes.* \* \* \*

(i) Articles described in paragraphs (a), (b), (c), (d) and (g) of this section must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

4. Amend § 73.57 paragraph (c) (15 F. R. 8287, Dec. 2, 1950) (49 CFR 73.57, 1950 Rev.) to read as follows:

§ 73.57 *Rocket ammunition.* \* \* \*

(c) Rocket ammunition must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

5. Amend § 73.58 paragraph (c) (15 F. R. 8287, Dec. 2, 1950) (49 CFR 73.58, 1950 Rev.) to read as follows:

§ 73.58 *Ammunition for small arms.* \* \* \*

(c) Ammunition for small arms with explosive bullets or ammunition for small arms with explosive projectiles must not be offered for transportation

by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

6. Amend § 73.59 paragraph (b) (15 F. R. 8287, Dec. 2, 1950) (49 CFR 73.59, 1950 Rev.) to read as follows:

§ 73.59 *Chemical ammunition, explosive.* \* \* \*

(b) Chemical ammunition, explosive must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

7. Amend § 73.60 paragraph (f) (15 F. R. 8287, Dec. 2, 1950) (49 CFR 73.60, 1950 Rev.) to read as follows:

§ 73.60 *Black powder and low explosives.* \* \* \*

(f) Black powder and low explosives must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

8. Amend § 73.62 paragraph (b) (15 F. R. 8288, Dec. 2, 1950) (49 CFR 73.62, 1950 Rev.) to read as follows:

§ 73.62 *High explosives, liquid.* \* \* \*

(b) High explosives, liquid, must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

9. Amend § 73.63 paragraph (g) (15 F. R. 8288, Dec. 2, 1950) (49 CFR 73.63, 1950 Rev.) to read as follows:

§ 73.63 *High explosive with liquid explosive ingredient.* \* \* \*

(g) High explosives with liquid explosive ingredient must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

10. Amend § 73.64 paragraph (c) (15 F. R. 8289, Dec. 2, 1950) (49 CFR 73.64, 1950 Rev.) to read as follows:

§ 73.64 *High explosives with no liquid explosive ingredient.* \* \* \*

(c) High explosives with no liquid explosive ingredient must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

11. Amend § 73.65 paragraph (k) (15 F. R. 8290, Dec. 2, 1950) (49 CFR 73.65, 1950 Rev.) to read as follows:

§ 73.65 *High explosives with no liquid explosive ingredient nor any chlorate.* \* \* \*

(k) High explosives with no liquid explosive ingredient nor any chlorate must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

12. Amend § 73.66 paragraph (i) (15 F. R. 8290, Dec. 2, 1950) (49 CFR 73.66, 1950 Rev.) to read as follows:

§ 73.66 *Blasting caps and electric blasting caps.* \* \* \*

(i) Blasting caps and electric blasting caps must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

13. Amend § 73.67 paragraph (c) (15 F. R. 8290, Dec. 2, 1950) (49 CFR 73.67, 1950 Rev.) to read as follows:

§ 73.67 *Blasting caps with safety fuse.* \* \* \*



(c) Blasting caps with safety fuse must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

14. Amend § 73.68 paragraph (c) (15 F. R. 8291, Dec. 2, 1950) (49 CFR 73.68, 1950 Rev.) to read as follows:

§ 73.68 *Detonating primers.* \* \* \*

(c) Detonating primers must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

15. Amend § 73.69 paragraph (d) (15 F. R. 8291, Dec. 2, 1950) (49 CFR 73.69, 1950 Rev.) to read as follows:

§ 73.69 *Detonating fuzes, boosters, or other detonating fuze parts containing an explosive.* \* \* \*

(d) Detonating fuzes and boosters must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

16. Amend § 73.70 paragraphs (b) and (e) (15 F. R. 8291, Dec. 2, 1950) (49 CFR 73.70, 1950 Rev.) to read as follows:

§ 73.70 *Diazodinitrophenol.* \* \* \*

(b) Diazodinitrophenol must be packed wet with not less than 40 percent by weight of water in specification containers 5 or 5B (§ 78.80 or § 78.82 of this chapter) metal barrels or drums, 10B (§ 78.156 of this chapter) wooden barrels or kegs, with inside containers which must be bags made of at least 10-ounce cotton duck, rubber or rubberized cloth, which must be securely closed. The dry weight of diazodinitrophenol in one container must not exceed 220 pounds. These bags containing the diazodinitrophenol must then be placed in a rubber bag, rubberized cloth bag, or bag made of suitable watertight material and then placed in the barrel, keg or drum. Any empty space in the outside bag must be filled with water and this bag securely closed.

(e) Diazodinitrophenol, wet, must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

17. Amend § 73.71 paragraph (e) (15 F. R. 8291, Dec. 2, 1950) (49 CFR 73.71, 1950 Rev.) to read as follows:

§ 73.71 *Fulminate of mercury.* \* \* \*

(e) Fulminate of mercury, wet, must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

18. Amend § 73.72 paragraph (e) (15 F. R. 8291, Dec. 2, 1950) (49 CFR 73.72, 1950 Rev.) to read as follows:

§ 73.72 *Guanyl nitrosamino guanylidene hydrazine.* \* \* \*

(e) Guanyl nitrosamino guanylidene hydrazine, wet, must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

19. Amend § 73.73 paragraph (e) (15 F. R. 8291, Dec. 2, 1950) (49 CFR 73.73, 1950 Rev.) to read as follows:

§ 73.73 *Lead azide.* \* \* \*

(e) Lead azide, wet, must not be offered for transportation by rail express, except

as provided in § 73.86 and § 75.675 of this chapter.

20. Amend § 73.74 paragraph (e) (15 F. R. 8292, Dec. 2, 1950) (49 CFR 73.74, 1950 Rev.) to read as follows:

§ 73.74 *Lead styphnate.* \* \* \*

(e) Lead styphnate (lead trinitroresorcinate), wet, must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

21. Amend § 73.75 paragraphs (b) and (e) (15 F. R. 8292, Dec. 2, 1950) (49 CFR 73.75, 1950 Rev.) to read as follows:

§ 73.75 *Nitro mannite.* \* \* \*

(b) Nitro mannite must be packed wet with not less than 40 percent by weight of water in specification containers 5 or 5B (§ 78.80 or § 78.82 of this chapter) metal barrels or drums, or 10B (§ 78.156 of this chapter) wooden barrels or kegs, with inside containers which must be bags made of at least 10-ounce cotton duck, rubber or rubberized cloth, which must be securely closed. The dry weight of nitro mannite in one container must not exceed 100 pounds. These bags containing the nitro mannite must then be placed in a rubber bag, rubberized cloth bag or bag made of suitable watertight material and then placed in the barrel, keg, or drum. Any empty space in the outside bag must be filled with water and this bag securely closed.

(e) Nitro mannite, wet, must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

22. Amend § 73.76 paragraph (d) (15 F. R. 8292, Dec. 2, 1950) (49 CFR 73.76, 1950 Rev.) to read as follows:

§ 73.76 *Nitrosoguanidine.* \* \* \*

(d) Nitrosoguanidine, wet, must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

23. Amend § 73.77 paragraphs (b) and (e) (15 F. R. 8292, Dec. 2, 1950) (49 CFR 73.77, 1950 Rev.) to read as follows:

§ 73.77 *Pentaerythrite tetranitrate.* \* \* \*

(b) Pentaerythrite tetranitrate must be packed wet with not less than 40 percent by weight of water in specification containers 5 or 5B (§ 78.80 or § 78.82 of this chapter) metal barrels or drums, or 10B (§ 78.156 of this chapter) wooden barrels or kegs, with inside containers which must be bags made of at least 10-ounce cotton duck, rubber or rubberized cloth, which must be securely closed. The dry weight of pentaerythrite tetranitrate in one container must not exceed 300 pounds. These bags containing the pentaerythrite tetranitrate must then be placed in a rubber bag, rubberized cloth bag or bag made of suitable watertight material and then placed in the barrel, keg or drum. Any empty space in the outside bag must be filled with water and this bag securely closed.

(e) Pentaerythrite tetranitrate, wet, must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

24. Amend § 73.78 paragraph (e) (15 F. R. 8292, Dec. 2, 1950) (49 CFR 73.78, 1950 Rev.) to read as follows:

§ 73.78 *Tetrazene.* \* \* \*

(e) Tetrazene (guanyl nitrosamino guanyl tetrazene), wet, must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

25. Amend § 73.79 paragraphs (a) and (c) (15 F. R. 8292, Dec. 2, 1950) (49 CFR 73.79, 1950 Rev.) to read as follows:

§ 73.79 *Jet thrust units (jato), class A.* (a) Jet thrust units (jato), class A, must be well packed and properly secured in strong wooden containers. Igniters must not be shipped assembled in the units unless shipped by, for, or to the Departments of the Army, Navy, and Air Force of the United States Government.

(c) Jet thrust units must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

26. Amend § 73.89 paragraph (c) (15 F. R. 8293, Dec. 2, 1950) (49 CFR 73.89, 1950 Rev.) to read as follows:

§ 73.89 *Ammunition for cannon with empty projectiles, inert-loaded projectiles, solid projectiles, or without projectiles or shell.* \* \* \*

(c) Ammunition for cannon with empty projectiles, inert-loaded projectiles, solid projectiles, or without projectiles or shell, must not be offered for transportation by rail express, except as provided in § 73.86 and § 75.675 of this chapter.

27. Amend § 73.90 paragraph (c) (15 F. R. 8293, Dec. 2, 1950) (49 CFR 73.90, 1950 Rev.) to read as follows:

§ 73.90 *Rocket ammunition with empty projectiles, inert-loaded or solid projectiles or without projectiles.* \* \* \*

(c) Articles as defined in § 73.88 (c) must not be offered for transportation by rail express, except as provided in §§ 73.86 and 75.675 of this chapter.

28. Amend § 73.92 paragraphs (a) and (c) (15 F. R. 8294, Dec. 2, 1950) (49 CFR 73.92, 1950 Rev.) to read as follows:

§ 73.92 *Jet thrust units (jato), class B.* (a) Jet thrust units (jato), class B, must be well packed and properly secured in strong wooden containers. Igniters must not be shipped assembled in the units unless shipped by, for, or to the Departments of the Army, Navy, and Air Force of the United States Government.

(c) Jet thrust units must not be offered for transportation by rail express except as provided in § 73.86 and § 75.675 of this chapter.

29. Amend § 73.93 paragraph (a) (15 F. R. 8294, Dec. 2, 1950) (49 CFR 73.93, 1950 Rev.) to read as follows:

§ 73.93 *Smokeless powder for cannon.* (a) Smokeless powder for cannon when offered for transportation by carriers by rail freight, highway, or water must be packed in containers complying with the following specifications (see paragraphs



(f) (1) and (2) of this section and § 75.675 of this chapter for shipments by rail express):

30. Amend § 73.94 paragraph (a) (15 F. R. 8295, Dec. 2, 1950) (49 CFR 73.94, 1950 Rev.) to read as follows:

§ 73.94 *Smokeless powder for small arms.* (a) Smokeless powder for small arms when offered for transportation by carriers by rail freight, highway, or water must be packed in containers complying with the following specifications (see paragraphs (i) (1) and (2) of this section and § 75.675 of this chapter for shipments by rail express):

31. Add paragraph (s) to § 73.100 (15 F. R. 8296, Dec. 2, 1950) (49 CFR 73.100, 1950 Rev.) to read as follows:

§ 73.100 *Definitions of class C explosives.* \* \* \*

(s) Igniter cord consists of a wire uniformly covered with a combustible chemical mixture, counterwound with strands of wire and overspun with textile thread which, when ignited, burns at various rates according to design. Igniter cord must be packed in strong, tight, outside fiberboard boxes or drums, wooden boxes or metal containers, plainly marked "Igniter Cord".

#### SUBPART C—FLAMMABLE LIQUIDS; DEFINITION AND PREPARATION

1. Amend § 73.118 paragraph (a) and add paragraphs (c) (15), (c) (16), (c) (17) and (c) (18) (15 F. R. 8298, Dec. 2, 1950) (49 CFR 73.118, 1950 Rev.) to read as follows:

§ 73.118 *Exemptions for flammable liquids.* (a) Flammable liquids, except those enumerated in paragraph (c) of this section, in inside metal containers not over 1 quart capacity each, packed in strong outside containers; except as otherwise provided, are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight or highway. When for transportation by carrier by water, they are exempt from specification packaging, marking other than name of contents, and labeling requirements.

(c) \* \* \*

(15) Amyl mercaptan.

(16) Butyl mercaptan.

(17) Ethyl mercaptan.

(18) Aliphatic mercaptan mixtures.

2. Amend § 73.124 introductory text of paragraph (a), paragraphs (a) (2), and (a) (4) (15 F. R. 8301, Dec. 2, 1950) (49 CFR 73.124, 1950 Rev.) to read as follows:

§ 73.124 *Ethylene oxide.* (a) Ethylene oxide must be packed in specification containers as follows and copper or copper bearing alloys shall not be used in any part of a container, container valve or other container appurtenance if that part is normally in contact with ethylene oxide liquid or vapor.

(2) Cylinders as prescribed for any compressed gas, except acetylene, not exceeding 30 gallons water capacity nominal, which meet the following requirements. All cylinders shall be seamless or steel welded. Cylinders shall

be equipped with safety devices of the fusible plug type with threaded straight bore orifice, with yield temperature of 157 to 170° F. having a minimum vent area of 0.0055 square inch per pound of water capacity of the container for containers not over one gallon capacity and 0.0012 square inch per pound of water capacity of the container for all containers over one gallon capacity. Each cylinder must be tested for leakage at a pressure of at least 15 p. s. i. gauge with an inert gas before each refilling. Filling shall be such that the container will not be liquid full at 185° F. Pressurizing valves and eductor tubes must be provided for all containers over one gallon capacity. Cylinders having a water capacity in excess of one gallon shall be insulated with three coats of heat-retardant paint, of type approved by the Bureau of Explosives, applied over suitable primer and finished with suitable waterproof paint; or with other equally efficient insulation approved by the Bureau of Explosives.

(4) Spec. 5P. Lagged steel drums not over 61 gallons capacity each. Drums must be equipped with safety devices of the fusible plug type with threaded straight bore orifice, with yield temperature of 157 to 170° F. having a minimum vent area of 0.0055 square inch per pound of water capacity of the container for containers not over 1 gallon capacity and 0.0012 square inch per pound of water capacity of the container for all containers over one gallon capacity. Each drum must be tested for leakage at a pressure of at least 15 p. s. i. gauge with an inert gas before each refilling; top head of each drum must be plainly marked with paint "Keep This End Up." Filling shall be such that the container will not be liquid full below 185° F. and the maximum filling for 61 gallon drums must not exceed 55 gallons of ethylene oxide at 60° F.

3. Amend § 73.139 paragraph (a) (1) (16 F. R. 9374, Sept. 15, 1951) (49 CFR 73.139, 1950 Rev.) to read as follows:

§ 73.139 *Ethylene imine, inhibited.* (a) \* \* \*

(1) Spec. 15A or 15B (§ 78.168 or § 78.169 of this chapter). Wooden boxes, with inside containers which must be securely sealed glass ampules, contents not over 16 ounces each, in tightly closed metal cans. If more than one ampule is packed in a metal can, ampules must be separated by fiberboard partitions. Ampules must be cushioned in vermiculite or equally efficient incombustible cushioning material in quantity sufficient to completely absorb contents in event of breakage. Not more than 5 pints of liquid may be packed in any outside wooden box.

4. Add § 73.141 (15 F. R. 8302, Dec. 2, 1950) (49 CFR 73.141, 1950 Rev.) to read as follows:

§ 73.141 *Amyl mercaptan, butyl mercaptan, ethyl mercaptan, and aliphatic mercaptan mixtures.* (a) Amyl mercaptan, butyl mercaptan, ethyl mercaptan, and aliphatic mercaptan mixtures must

be packed in specification containers as follows:

(1) Spec. 15A, 15B, 15C, 16A, or 19A (§§ 78.168, 78.169, 78.170, 78.185, or 78.190 of this chapter). Wooden boxes with securely closed inside metal containers not over 5 gallons capacity each; or in tightly closed glass bottles not exceeding 1 quart capacity each, securely cushioned in sufficient quantity of absorbent material to completely absorb the contents in event of leakage.

(2) Spec. 12B (§ 78.205 of this chapter). Fiberboard boxes with securely closed inside metal containers not over 1 gallon capacity each; or in tightly closed glass bottles not exceeding 1 quart capacity each, securely cushioned in sufficient quantity of absorbent material to completely absorb the contents in event of leakage.

(3) Spec. 5, 5A, 5B, or 5C (§§ 78.80, 78.81, 78.82, or 78.83 of this chapter). Metal barrels or drums, with not more than one opening not exceeding 2.3 inches in diameter and not more than one vent opening not exceeding 1 inch in diameter. Gaskets are required and must be not less than 3/32-inch thick and of resilient material such as polyethylene, neoprene, or equally efficient material.

(4) Spec. 17C (§ 78.115 of this chapter). Metal drums (single-trip), with not more than one opening not exceeding 2.3 inches in diameter and not more than one vent opening not exceeding 1 inch in diameter. Gaskets are required and must be not less than 3/32-inch thick and of resilient material such as polyethylene, neoprene, or equally efficient material.

(5) Spec. 17E (§ 78.116 of this chapter). Metal drums (single-trip), not over 5 gallons capacity, without opening except bung hole not exceeding 2.3 inches in diameter. Gaskets are required and must be not less than 3/32-inch thick and of resilient material such as polyethylene, neoprene, or equally efficient material. (See also paragraph (a) (6) of this section.)

(6) Spec. 17E (§ 78.116 of this chapter). Metal drums (single-trip), not over 55 gallons capacity, with not more than one opening not exceeding 2.3 inches in diameter and not more than one vent opening not exceeding 1 inch in diameter. Gaskets are required and must be not less than 3/32-inch thick and of resilient material such as polyethylene, neoprene, or equally efficient material. Authorized only for mercaptans having flash point above 20° F.

#### SUBPART D—FLAMMABLE SOLIDS AND OXIDIZING MATERIALS; DEFINITION AND PREPARATION

1. Add § 73.158 paragraph (a) (2) (15 F. R. 8304, Dec. 2, 1950) (49 CFR 73.158, 1950 Rev.) to read as follows:

§ 73.158 *Benzoyl peroxide, dry, lauroyl peroxide, dry, chlorobenzoyl peroxide (para), dry, or succinic acid peroxide, dry.* (a) \* \* \*

(2) Spec. 21A or 21B (§ 78.222, or § 78.223 of this chapter). Fiber drums, net weight not over 100 pounds, authorized only for lauroyl peroxide, dry.



2. Amend § 73.190 paragraph (b) (3) (15 F. R. 8308, Dec. 2, 1950) (49 CFR 73.190, 1950 Rev.) to read as follows:

§ 73.190 *Phosphorous, white or yellow.*

(b) \* \* \*

(3) Spec. 103 or 103W (§ 78.265 or § 78.280 of this chapter). Tank cars, without bottom discharge outlet and with approved dome fittings, external heater systems, and with insulation at least 4 inches in thickness, except that thickness of insulation may be reduced to 2 inches over external heater coils. The material must be immersed in water and must be loaded at a temperature not exceeding 140° F. and then cooled until the water has a temperature not exceeding 105° F. before car is offered to carrier. The water must be loaded in the dome to not more than 50 percent of the capacity of the dome. After unloading, the tank must be filled to its entire capacity and the dome to not more than 50 percent of its capacity with water having a temperature not less than 105° F. and not over 140° F. and placarded with the caution placard prescribed in § 74.555 of this chapter, before the car is offered for return movement.

[Note 1 remains unchanged.]

3. Add paragraph (e) to § 73.206 (15 F. R. 8310, Dec. 2, 1950) (49 CFR 73.206, 1950 Rev.) to read as follows:

§ 73.206 *Sodium or potassium, metallic, sodium amide, lithium metal, lithium silicon, and lithium hydride.* \* \* \*

(e) Lithium metal in cartridges, containing more than 18 grams but not more than 120 grams of lithium, must be packed in specification containers as follows:

(1) Spec. 15A or 15B (§ 78.166 or § 78.169 of this chapter). Wooden boxes, not over 75 pounds gross weight, with air-tight inside copper cartridges which must be separated or securely cushioned therein. Each cartridge must have a minimum thickness of 0.02 inch.

4. Amend § 73.217 introductory text of paragraph (a) (15 F. R. 8311, Dec. 2, 1950) (49 CFR 73.217, 1950 Rev.) to read as follows:

§ 73.217 *Calcium hypochlorite compounds, dry, and lithium hypochlorite compounds, dry.* (a) Calcium hypochlorite compounds, dry, containing more than 8.80 percent available oxygen (39 percent available chlorine) and lithium hypochlorite compounds, dry, containing more than 8.80 percent available oxygen (39 percent available chlorine) must be packed in specification containers as follows:

#### SUBPART E—ACIDS AND OTHER CORROSIVE LIQUIDS; DEFINITION AND PREPARATION

1. Amend entire § 73.241 (15 F. R. 8312, 8313, Dec. 2, 1950) (49 CFR 73.241, 1950 Rev.) to read as follows:

§ 73.241 *Outage.* (a) Outage for containers of acids or other corrosive liquids for transportation by carriers by rail freight, rail express, highway, or water, must be as follows:

(1) The proper vacant space (outage) in a tank car or other shipping container depends on the coefficient of expansion of the liquid and the maximum increase of temperature to which it will be subjected in transit. Outage must be calculated to the total capacity of the container.

(2) *Outage requirements for containers other than tank cars, cargo tanks and portable tanks.* Containers must not be entirely filled. Sufficient interior space must be left vacant to prevent leakage or distortion of containers due to the expansion of the contents from increase of temperature during transit.

(3) *Outage requirements for tank cars.* In tank cars, outage must be calculated to percentage of the total capacity of the tank, i. e., shell and dome capacity combined. If the dome of the tank car does not provide sufficient outage, then vacant space must be left in the shell to make up the required outage. The outage for tank cars must be not less than 1 percent.

(4) *Outage requirements for cargo tanks or portable tanks.* No cargo tank or portable tank or compartment thereof used for the transportation of any acid or other corrosive liquid shall be completely filled. The outage for cargo tanks and portable tanks must be not less than 2 percent.

2. Amend § 73.245 paragraph (a) (1) (15 F. R. 8313, Dec. 2, 1950) (49 CFR 73.245, 1950 Rev.) to read as follows:

§ 73.245 *Acids or other corrosive liquids not specifically provided for.* (a) \* \* \*

(1) Spec. 1A, 1B, 1C, or 1E (§§ 78.1, 78.2, 78.3, or 78.7 of this chapter). Glass carboys in boxes, kegs, or plywood drums.

3. Amend § 73.247 paragraph (a) (3) (15 F. R. 8313, Dec. 2, 1950) (49 CFR 73.247, 1950 Rev.) to read as follows:

§ 73.247 *Acetyl chloride, antimony pentachloride, benzoyl chloride, benzyl chloride, pyro sulfuric chloride, silicon chloride, sulfur chloride (mono and di), thionyl chloride, tin tetrachloride (anhydrous), and titanium tetrachloride.* (a) \* \* \*

(3) Spec. 1A, 1C, 1D, or 1E (§§ 78.1, 78.3, 78.4, or 78.7 of this chapter). Glass carboys in boxes, kegs or plywood drums.

4. Amend § 73.248 paragraph (a) (1) (15 F. R. 8314, Dec. 2, 1950) (49 CFR 73.248, 1950 Rev.) to read as follows:

§ 73.248 *Acid sludge, sludge acid, spent sulfuric acid, or spent mixed acid.* (a) \* \* \*

(1) Spec. 1A, 1D, or 1E (§§ 78.1, 78.4, or 78.7 of this chapter). Carboys in boxes or plywood drums. (For spent sulfuric acid only).

5. Add paragraph (a) (6) to § 73.257 (15 F. R. 8315, Dec. 2, 1950) (49 CFR 73.257, 1950 Rev.) to read as follows:

§ 73.257 *Electrolyte (acid) or corrosive battery fluid.* (a) \* \* \*

(6) Spec. 12B (§ 78.205 of this chapter). Fiberboard boxes with inside containers of polyethylene, or other elec-

trolyte acid resistant plastic, not over one quart capacity each. Individual containers must be packed to prevent movement within the box by use of partitions or other suitable cushioning.

6. Amend § 73.262 paragraph (a) (1) (15 F. R. 8316, Dec. 2, 1950) (49 CFR 73.262, 1950 Rev.) to read as follows:

§ 73.262 *Hydrobromic acid.* (a) \* \* \*

(1) Spec. 1A, 1C, 1D, or 1E (§§ 78.1, 78.3, 78.4, or 78.7 of this chapter). Carboys in boxes, barrels, kegs or plywood drums.

7. Amend § 73.263 paragraph (a) (7) (15 F. R. 8317, Dec. 2, 1950) (49 CFR 73.263, 1950 Rev.) to read as follows:

§ 73.263 *Hydrochloric (muriatic) acid, hydrochloric acid mixtures, and sodium chlorite solution.* (a) \* \* \*

(7) Spec. 1D or 1E (§ 78.4 or § 78.7 of this chapter). Glass carboys in boxes or plywood drums, of not over 6.5 gallons nominal capacity. Means shall be provided so that accumulated total pressure in bottle shall not exceed 10 p. s. i. gauge at 130° F. or shall vent at a pressure not to exceed 10 p. s. i. gauge.

8. Amend § 73.264 paragraph (a) (8) and cancel Note 1 to paragraph (a) (8) (16 F. R. 9375, Sept. 15, 1951) (15 F. R. 8317, Dec. 2, 1950) (49 CFR 73.264, 1950 Rev.) to read as follows:

§ 73.264 *Hydrofluoric acid.* (a) \* \* \*

(8) Spec. 103A, 103A-W, 104A, 104A-W, 105A, 105A-W, or ARA-IV-A<sup>1</sup> (§§ 78.266, 78.281, 78.270, 78.285, 78.271 to 78.274, 78.286 to 78.289 of this chapter). Unlined metal tank cars which have been subjected to adequate passivation or neutralization process. (See Note 1 to paragraph (a) (7) of this section.) Authorized only for acid of 60 to 80 percent strength. If tanks are washed out with water they must be repassivated before re-shipment.

[Note 1 to (a) (8) Canceled.]

9. Amend § 73.265 paragraph (c) (1) (15 F. R. 8318, Dec. 2, 1950) (49 CFR 73.265, 1950 Rev.) to read as follows:

§ 73.265 *Hydrofluosilicic acid.* \* \* \*

(c) \* \* \*

(1) Spec. 1A, 1C, 1D, or 1E (§§ 78.1, 78.3, 78.4, or 78.7 of this chapter). Carboys boxed, in kegs, or plywood drums, for which the use of rubber stoppers and gaskets is also authorized.

10. Amend § 73.266 paragraph (c) (3) (15 F. R. 8318, Dec. 2, 1950) (49 CFR 73.266, 1950 Rev.) to read as follows:

§ 73.266 *Hydrogen peroxide solution in water.* \* \* \*

(c) \* \* \*

(3) Spec. 1D, or 1E (§ 78.4, or 78.7 of this chapter). Glass carboys in boxes or plywood drums of not over 6.5 gallons nominal capacity. Means shall be provided so that accumulated pressure in bottle shall not exceed 10 pounds p. s. i. gauge at 130° F., or shall vent at a pressure not to exceed 10 pounds p. s. i. gauge. The cushioning must be incombustible mineral material, elastic wood-strip



packing, or large elastic cushions such as corks fastened securely in position. The use of hay, excelsior, ground cork, or similar material, whether treated or untreated, is prohibited.

11. Amend § 73.267 paragraph (a) (6) (15 F. R. 8319, Dec. 2, 1950) (49 CFR 73.267, 1950 Rev.) to read as follows:

§ 73.267 *Mixed acid (nitric and sulfuric acid) (nitrating acid).* (a) \* \* \*

(6) Spec. 1D, or 1E (§ 78.4, or § 78.7 of this chapter). Glass carboys in boxes or plywood drums of not over 6.5 gallons nominal capacity; authorized only for mixed nitric and sulfuric acid, containing not over 17 percent nitric acid and containing at least 33 percent water; means shall be provided so that accumulated pressure in bottle shall not exceed 10 pounds per square inch gauge at 130° F., or vent at pressure not to exceed 10 pounds per square inch gauge. Cushioning must be incombustible mineral material, elastic wooden strip packing, or large elastic cushions such as cork, fastened securely in position. The use of hay, excelsior, ground cork, or similar material, whether treated or untreated, is prohibited.

12. Amend § 73.268 paragraph (f) (3) (15 F. R. 8320, Dec. 2, 1950) (49 CFR 73.268, 1950 Rev.) to read as follows:

§ 73.268 *Nitric acid.* \* \* \*

(3) Spec. 1D, or 1E (§ 78.4, or § 78.7 of this chapter). Glass carboys in boxes or plywood drums of not over 6.5 gallons nominal capacity. Means shall be provided so that accumulated pressure in bottle shall not exceed 10 pounds per square inch gauge at 130° F., or shall vent at a pressure not to exceed 10 pounds per square inch gauge.

13. Amend § 73.269 paragraph (a) (2) (15 F. R. 8320, Dec. 2, 1950) (49 CFR 73.269, 1950 Rev.) to read as follows:

§ 73.269 *Perchloric acid.* (a) \* \* \*

(2) Spec. 1A, 1C, 1D, or 1E (§§ 78.1, 78.3, 78.4, or 78.7 of this chapter). Glass carboys, in boxes, kegs or plywood drums.

14. Amend § 73.271 paragraph (b) (15 F. R. 8321, Dec. 2, 1950) (49 CFR 73.271, 1950 Rev.) to read as follows:

§ 73.271 *Phosphorus oxychloride, phosphorus trichloride, and thiophosphoryl chloride.* \* \* \*

(b) Phosphorus trichloride and thiophosphoryl chloride may also be shipped in metal barrels or drums, Spec. 5A (§ 78.81 of this chapter).

15. Amend § 73.272 paragraph (e) (2) (15 F. R. 8321, Dec. 2, 1950) (49 CFR 73.272, 1950 Rev.) to read as follows:

§ 73.272 *Sulfuric acid.* \* \* \*

(2) Spec. 1D or 1E (§ 78.4 or § 78.7 of this chapter). Glass carboys in boxes or plywood drums, of not over 6.5 gallons nominal capacity.

16. Amend § 73.277 paragraph (a) (2) (15 F. R. 8322, Dec. 2, 1950) (49 CFR 73.277, 1950 Rev.) to read as follows:

§ 73.277 *Hypochlorite solutions.*

(a) \* \* \*

(2) Spec. 1A, 1C, 1D, or 1E (§§ 78.1, 78.3, 78.4 or 78.7 of this chapter). Glass carboys in boxes, kegs, or plywood drums.

17. Amend § 73.278 paragraph (b) (2) (15 F. R. 8322, Dec. 2, 1950) (49 CFR 73.278, 1950 Rev.) to read as follows:

§ 73.278 *Nitrohydrochloric acid.* \* \* \*

(b) \* \* \*

(2) Spec. 1A, 1D, or 1E (§§ 78.1, 78.4, or 78.7 of this chapter). Glass carboys in boxes or plywood drums, not over 5 gallons nominal capacity for Spec. 1A and not over 6.5 gallons nominal capacity for Spec. 1D and 1E.

18. Amend entire § 73.289 (15 F. R. 8323, Dec. 2, 1950) (16 F. R. 5325, June 6, 1951) (49 CFR 73.289, 1950 Rev.) to read as follows:

§ 73.289 *Formic acid and formic acid solutions.* (a) Formic acid and formic acid solutions must be packed in specification containers as follows:

(1) In containers prescribed in § 73.245 of this part, except spec. 5A (§ 78.81 of this chapter). Metal barrels or drums.

(2) Spec. 103C-W (§ 78.283 of this chapter). Tank cars stenciled "For Formic Acid Only".

(3) Spec. 10A (§ 78.155 of this chapter). Wooden barrels or kegs, lined with latex rubber.

(4) Spec. MC 310 (§ 78.330 of this chapter). Tank motor vehicles, marked "For Formic Acid Only".

(5) Spec. 5C (§ 78.83 of this chapter). Metal barrels or drums.

(6) Spec. 5G (§ 78.86 of this chapter). Metal barrels or drums with flanges for closures welded in place.

(7) Spec. 17H (§ 78.118 of this chapter). Metal drums (single-trip) equipped with bag type liners of material and construction approved by the Bureau of Explosives. Each drum must have two diametrically opposite vent holes 1/4 inch diameter in the side wall at each end in close proximity to the top curl and bottom chime. Interior of welded side seam must be covered or otherwise treated to provide a non-abrasive surface.

(8) Spec. 60 (§ 78.255 of this chapter). Portable tanks, marked "For Formic Acid Only".

(9) Spec. 1EX (§ 78.6 of this chapter). Carboys in plywood drums. Authorized only for export shipments.

19. Amend § 73.291 paragraph (a) (2) (15 F. R. 8323, Dec. 2, 1950) (49 CFR 73.291, 1950 Rev.) to read as follows:

§ 73.291 *Flame retardant compound, liquid.* (a) \* \* \*

(2) Spec. 1D, or 1E (§ 78.4, or § 78.7 of this chapter). Glass carboys in boxes or plywood drums of not over 6.5 gallons nominal capacity. Means shall be provided so that accumulated pressure in bottle shall not exceed 10 pounds per square inch gauge at 130° F., or shall vent at a pressure not to exceed 10 pounds per square inch gauge.

SUBPART G—POISONOUS ARTICLES; DEFINITION AND PREPARATION

1. Add Paragraph (b) (9) to § 73.345 (15 F. R. 8334, Dec. 2, 1950) (49 CFR 73.345, 1950 Rev.) to read as follows:

§ 73.345 *Exemptions for poisonous liquids, class B.* \* \* \*

(b) \* \* \*  
(9) Parathion.

2. Amend § 73.353 paragraph (a) (3) (16 F. R. 9378, Sept. 15, 1951) (49 CFR 73.353, 1950 Rev.) to read as follows:

§ 73.353 *Methyl bromide.* (a) \* \* \*

(3) Spec. 3A225, 3AA225, 3B225, 3E1800, 4A225, 4B225, or 4BA225 (§§ 78.36, 78.37, 78.38, 78.42, 78.49, 78.50, or 78.51 of this chapter). Metal cylinders of not over 125 pounds water capacity (nominal). Valves or other closing devices must be protected, to prevent injury in transit, by screw-on metal caps or by packing the cylinders in strong boxes or crates. Cylinders having a wall thickness of less than 0.10 inch must be packed in boxes or crates. (See § 73.25.)

3. Amend § 73.357 paragraph (b) (1) (16 F. R. 9378, 9379, Sept. 15, 1951) (49 CFR 73.357, 1950 Rev.) to read as follows:

§ 73.357 *Chlorpicrin and chlorpicrin mixtures containing no compressed gas or poisonous liquid, class A.* \* \* \*

(b) \* \* \*  
(1) Spec. 3A, 3AA, 3B, 3C, 3D, 3E, 4A, 4B, 4BA240, or 4C (§§ 78.36, 78.37, 78.38, 78.40, 78.41, 78.42, 78.49, 78.50, 78.51, or 78.52 of this chapter) not over 250 pounds water capacity (nominal). Valves or other closing devices must be protected, to prevent injury in transit, by screw-on metal caps or by packing the cylinders in strong boxes or crates. Cylinders having a wall thickness of less than 0.10 inch must be packed in boxes or crates (see § 73.25).

4. Add § 73.358 (15 F. R. 8336, Dec. 2, 1950) (49 CFR 73.358, 1950 Rev.) to read as follows:

§ 73.358 *Parathion, liquid.* (a) Parathion, liquid must be packed in specification containers as follows:

(1) Spec. 5, 5A, or 5B (§§ 78.80, 78.81, or 78.82 of this chapter). Metal barrels or drums, with openings not exceeding 2.3 inches in diameter.

(2) Spec. 17C (§ 78.115 of this chapter). Metal drums (single-trip), with openings not exceeding 2.3 inches in diameter.

(3) Spec. 15A or 15B (§ 78.168 or § 78.169 of this chapter). Wooden boxes, with metal inside containers of not over 5 gallons capacity each.

(4) Cylinders as prescribed for any compressed gas, except acetylene, are also authorized.

5. Add § 73.359 (15 F. R. 8336, Dec. 2, 1950) (49 CFR 73.359, 1950 Rev.) to read as follows:

§ 73.359 *Parathion mixtures, liquid.* (a) Parathion mixtures (solutions, emulsions, or emulsifiable liquids) containing not more than 50 percent parathion by weight, must be packed in specification containers as follows:



(1) Spec. 5, 5A, or 5B (§§ 78.80, 78.81, or 78.82 of this chapter). Metal barrels or drums, with openings not exceeding 2.3 inches in diameter.

(2) Spec. 17C (§ 78.115 of this chapter). Metal drums (single-trip), with openings not exceeding 2.3 inches in diameter.

(3) Spec. 17E (§ 78.116 of this chapter). Metal drums (single-trip), with openings not exceeding 2.3 inches in diameter. Capacity not to exceed 10 gallons. Authorized only for mixtures not classed as flammable under the regulations in this part.

(4) Spec. 15A, 15B, or 15C (§§ 78.163, 78.169, or 78.170 of this chapter). Wooden boxes, with metal inside containers not over 10 gallons capacity each.

(b) Parathion mixtures (solutions, emulsions, or emulsifiable liquids) containing more than 50 percent parathion by weight, must be packed in specification containers as follows:

(1) Spec. 5, 5A, or 5B (§§ 78.80, 78.81, or 78.82 of this chapter). Metal barrels or drums, with openings not exceeding 2.3 inches in diameter.

(2) Spec. 17C (§ 78.115 of this chapter). Metal drums (single-trip), with openings not exceeding 2.3 inches in diameter.

(3) Spec. 15A or 15B (§ 78.163 or § 78.169 of this chapter). Wooden boxes, with metal inside containers not over 5 gallons capacity each.

(c) Parathion mixtures (solutions, emulsions, or emulsifiable liquids) containing not more than 25 percent parathion by weight, in inside metal containers not over 8 fluid ounces capacity each, packed in strong outside containers together with sufficient absorbent material to completely absorb the liquid in the event of leakage, are exempt from specification packaging, marking, and labeling requirements.

6. Amend § 73.364 introductory text of paragraph (a) (15 F. R. 8336, Dec. 2, 1950) (49 CFR 73.364, 1950 Rev.) to read as follows:

§ 73.364 *Exemptions for poisonous solids, class B.* (a) Poisonous solids, class B, except cyanides other than as specified in § 73.370 (b), and beryllium metal powder, in tightly closed inside containers, securely cushioned when necessary to prevent breakage and packed as follows, are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight, rail express, or highway, but when for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements:

7. Add § 73.377 (15 F. R. 8338, Dec. 2, 1950) (49 CFR 73.377, 1950 Rev.) to read as follows:

§ 73.377 *Parathion mixtures, dry.* (a) Parathion mixtures in which the liquid is absorbed in concentrations greater than 2 percent but not exceeding 27 percent in an inert dry material so as to form a dry mixture, must be packed in specification containers as follows:

(1) Spec. 12B or 12C (§ 78.205 or § 78.206 of this chapter). Fiberboard boxes, with inside containers which must be metal or fiber cans not over 6 pounds capacity each, or paper bags, Spec. 2D (§ 78.23 of this chapter), not over 6 pounds capacity each. Inside containers and the completed package must be capable of withstanding the tests prescribed in paragraphs (b), (c) and (d) of this section.

(2) Spec. 15A or 15B (§ 78.163 or § 78.169 of this chapter). Wooden boxes, with inside containers which must be metal or fiber cans not over 6 pounds capacity each, or paper bags, Spec. 2D (§ 78.23 of this chapter), not over 6 pounds capacity each. Inside containers must be capable of withstanding the tests prescribed in paragraphs (b) and (c) of this section.

(3) Spec. 5, 5B, 6A, or 6C (§§ 78.80, 78.82, 78.97, 78.98, or 78.99 of this chapter). Metal barrels or drums.

(4) Spec. 17C, 17H, or 37H (§§ 78.115, 78.118, or 78.125 of this chapter). Metal drums (single-trip). Spec. 37H (§ 78.125 of this chapter) metal drums authorized for not over 100 pounds net weight.

(5) Spec. 21A or 21B (§ 78.222 or § 78.223 of this chapter). Fiber drums.

(b) Inside metal or fiber cans when closed as for shipment must be capable of withstanding two four-foot drops onto solid concrete without breakage of the container or any sifting of the contents. One drop must be on side of can and the other diagonally on the top rim or chime.

(c) Inside paper bags when closed as for shipment must be capable of withstanding two four-foot drops onto solid concrete without breakage of the container or any sifting of the contents. One drop must be made on bottom of bag and the other on either large face.

(d) Completed packages when closed as for shipment must be capable of withstanding two four-foot drops onto solid concrete without breakage of the container or any sifting of the contents. One drop must be made on bottom of package and the other drop on the smallest adjacent side area.

(e) Dry mixtures containing not more than 2 percent by weight of parathion, and in which the liquid is absorbed in an inert material, are exempt from specification packaging, marking, and labeling requirements.

8. Add § 73.378 (15 F. R. 8338, Dec. 2, 1950) (49 CFR 73.378, 1950 Rev.) to read as follows:

§ 73.378 *Beryllium metal powder.* (a) Beryllium metal powder must be packed in specification containers as follows:

(1) Spec. 5, 5A, 5B, 6A, 6B or 6C (§§ 78.80, 78.81, 78.82, 78.97, 78.98, or 78.99 of this chapter). Metal barrels or drums.

(2) Spec. 17H, 37D, or 37H (§§ 78.118, 78.125, or 78.129 of this chapter). Metal drums (Single-trip).

(3) Spec. 15A, 15B, 15C, 16A, or 19A (§§ 78.163, 78.169, 78.170, 78.185, or 78.190 of this chapter). Wooden boxes with in-

side metal cans not over 25 pounds capacity each.

(4) Spec. 12B or 12C (§ 78.205 or § 78.206 of this chapter). Fiberboard boxes with inside metal cans not over 25 pounds capacity each.

9. Amend § 73.396 paragraph (a) (16 F. R. 9379, Sept. 15, 1951) (49 CFR 73.396, 1950 Rev.) to read as follows:

§ 73.396 *Radioactive materials handling.* (a) When radioactive materials are loaded into railroad cars or motor vehicles by the shipper, the shipper shall observe all applicable requirements of § 75.655 (j) or § 77.841 (d) of this chapter, as the case may be.

#### PART 74—REGULATIONS APPLYING PARTICULARLY TO CARRIERS BY RAIL FREIGHT

Add § 74.502 paragraph (a) (29) (15 F. R. 8345, Dec. 2, 1950) (49 CFR 74.502, 1950 Rev.) to read as follows:

§ 74.502 *Forbidden explosives.* (a).

(29) Fireworks containing copper sulfate and a chlorate.

#### SUBPART B—LOADING AND STORAGE CHART OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

Amend item 8 vertical and horizontal columns of chart to paragraph (a) of § 74.538 and add note 4 (15 F. R. 8349, 8350, Dec. 2, 1950) (49 CFR 74.538, 1950 Rev.) to read as follows:

§ 74.538 *Loading and storage chart of explosives and other dangerous articles.* (a) \* \* \*

"8" Cordeau detonant fuse, safety squibs, fuse lighters, fuse igniters, delay electric igniters, electric squibs, instantaneous fuse or igniter cord.

NOTE 4: Nitric acid, when loaded in the same car with other acids or other corrosive liquids in carboys, must be separated from the other carboys. A 2 by 6 inch plank, set on edge, should be nailed across the car floor at least 12 inches from the nitric acid carboys, and the space between the plank and the carboys of nitric acid should be filled with sand, sifted ashes, or other incombustible absorbent material.

#### SUBPART C—PLACARDS ON CARS

1. Amend § 74.541 introductory text of paragraph (a) and add paragraph (c) (15 F. R. 8350, Dec. 2, 1950) (49 CFR 74.541, 1950 Rev.) to read as follows:

§ 74.541 *"Dangerous" placards; "Dangerous—Class D poison" placards; or "Caution—Residual phosphorus" placards.* (a) "Dangerous" placard, as prescribed by § 74.552 must be applied to cars, and container cars, as follows.

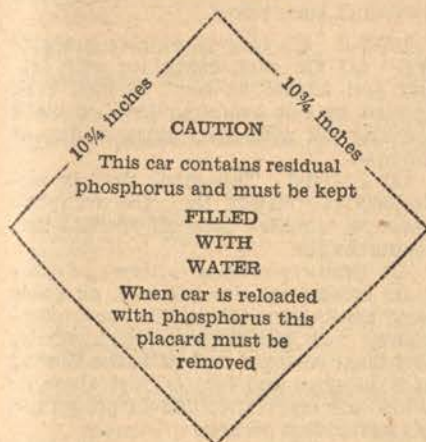
(c) "Caution—Residual phosphorus" placard, as prescribed in § 74.555, must be applied to tank cars which last contained shipments of white or yellow phosphorus and which are required to be filled with water before tank car is offered for return movement as provided in § 73.190 (a) (3) of this chapter.

2. Add § 74.555 (15 F. R. 8352, Dec. 2, 1950) (49 CFR 74.555, 1950 Rev.) to read as follows:



§ 74.555 "Caution—Residual phosphorus" placard. (a) Tank cars previously loaded with phosphorus, when shipped filled with water, must bear a placard reading "Caution—This car contains residual phosphorus and must be kept filled with water." The placard must be of diamond shape measuring 10¼ inches on each side, and must bear the wording in black letters as shown in the following cut:

CAUTION PLACARD FOR RESIDUAL PHOSPHORUS  
(Reduced size)



SUBPART E—HANDLING BY CARRIERS BY RAIL FREIGHT

1. Amend § 74.584 paragraphs (a) and (g) (15 F. R. 8354, 8355, Dec. 2, 1950) (49 CFR 74.584, 1950 Rev.) to read as follows:

§ 74.584 *Waybills, switching orders, or other billing.* (a) The revenue waybill, astray waybill, switching order or any other billing issued in lieu thereof, prepared from the shipping order or other shipping paper, or shipping orders used as waybills, must describe the article by shipping name as prescribed in § 72.5 of this chapter and must show label notations for less-than-carload shipments or placard notations for carload shipments of explosives and other dangerous articles and placard indorsement as follows:

[No change in table.]

(g) For tank cars not loaded, the billing must show the word "Empty", except that for tank cars previously loaded with white or yellow phosphorus the billing must show the words "Caution—This car contains residual phosphorus and must be kept filled with water".

2. Add § 74.601 (15 F. R. 8359, Dec. 2, 1950) (49 CFR 74.601, 1950 Rev.) to read as follows:

§ 74.601 *Calcium hypochlorite compounds, dry, involved in fires.* (a) Calcium hypochlorite compounds, dry, packed in metal drums when involved in cars where fire has occurred from any cause must be held at least five days before forwarding. Drums showing evidence of spontaneous heating or stress from internal pressure must not be reshipped.

PART 75—REGULATIONS APPLYING TO CARRIERS BY RAIL EXPRESS

Amend § 75.655 paragraph (j) (3) (15 F. R. 8359, Dec. 2, 1950) (49 CFR 75.655, 1950 Rev.) to read as follows:

§ 75.655 *Protection of packages.*

(j) \* \* \*  
(3) Not more than 40 units of radioactive material (red label) shall be transported in any car or stored in any location at one time.

PART 77—REGULATIONS APPLYING TO SHIPMENTS MADE BY WAY OF COMMON AND CONTRACT CARRIER BY PUBLIC HIGHWAY

SUBPART B—LOADING AND UNLOADING

Amend § 77.841 paragraph (d) (2) (15 F. R. 8367, Dec. 2, 1950) (49 CFR 77.841, 1950 Rev.) to read as follows:

§ 77.841 *Poisons.* \* \* \*

(d) \* \* \*  
(2) Not more than 40 units of radioactive material, red label, shall be transported in any vehicle or stored in any location at one time. Packages must be so blocked or braced in vehicles as to prevent any shift of lading under conditions normally incident to transportation.

SUBPART C—LOADING AND STORAGE CHART OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

Amend Item 8 vertical and horizontal columns of chart to paragraph (a) of § 77.848 and add Note 4 (15 F. R. 8368, 8369, Dec. 2, 1950) (49 CFR 77.848, 1950 Rev.) to read as follows:

§ 77.848 *Loading and storage chart of explosives and other dangerous articles.* (a) \* \* \*

Nominal carboy capacity not over—	Minimum dimensions			Nails—sides and bottoms	
	Thickness sides, top, bottom and ends	1 vertical corner posts	1 carrying cleats and shoes	2 size not less than—	Spacing average not over 3
Gallons	Inch	Inches	Inches	Penny	Inches
5 to 7.....	¾	¾ x 2½	¾ x 1½	7	2¼
from				6	2
7 to 13.....	2½	2½ x 3½	2½ x 2½	9	2¼
				8	2½

[Notes remain the same.]

2. Add §§ 78.7 through 78.7-9 (15 F. R. 8378, Dec. 2, 1950) (49 CFR 78.7, 1950 Rev.) to read as follows:

§ 78.7 *Specification 1E; glass carboys in plywood drums.*

§ 78.7-1 *Compliance.* (a) Required in all details.

§ 78.7-2 *Reuse of packages.* (a) Outside container, including metal side seam, must be replaced when broken, decayed, or inefficient in any way.

(b) Carboys with lip cracked or badly chipped not authorized; gasket seat must be even. Packages must be capable of passing tests prescribed in § 78.7-8.

"8" Cordeau detonant fuse, safety squibs, fuse lighters, fuse igniters, delay electric igniters, electric squibs, instantaneous fuse or igniter cord.

NOTE 4: Nitric acid, when loaded in the same motor vehicle with other acids or other corrosive liquids in carboys, must be separated from the other carboys. A 2 by 6 inch plank, set on edge, should be nailed across the motor vehicle floor at least 12 inches from the nitric acid carboys, and the space between the plank and the carboys of nitric acid should be filled with sand, sifted ashes, or other incombustible absorbent material.

SUBPART D—VEHICLES AND SHIPMENT IN TRANSIT; ACCIDENTS

Add paragraph (e) to § 77.857 (15 F. R. 8371, Dec. 2, 1950) (49 CFR 77.857, 1950 Rev.) to read as follows:

§ 77.857 *Accidents, flammable solids and oxidizing materials.* \* \* \*

(e) *Calcium hypochlorite compounds, dry, involved in fires.* Calcium hypochlorite compounds, dry, packed in metal drums when involved in motor vehicles where fire has occurred from any cause must be held at least five days before forwarding. Drums showing evidence of spontaneous heating or stress from internal pressure must not be reshipped.

PART 78—SHIPPING CONTAINER SPECIFICATIONS

SUBPART A—SPECIFICATIONS FOR CARBOYS, JUGS IN TUBS, AND RUBBER DRUMS

1. Amend § 78.1-7 paragraph (d) (15 F. R. 8374, Dec. 2, 1950) (49 CFR 78.1-7, 1950 Rev.) to read as follows:

§ 78.1 *Specification 1A; boxed carboys. Glass, earthenware, clay, or stoneware.*

(d) Parts and dimension as follows:

§ 78.7-3 *Capacity and marking of carboy.* (a) Glass containers 5 to 7 gallons in this specification are classed as carboys. Must be permanently marked to indicate maker and year of manufacture; mark of maker to be registered with the Bureau of Explosives.

§ 78.7-4 *Glass carboys.* (a) Thoroughly annealed; top of lip smooth and even. Glass in side walls should be well distributed and at least 1/16 inch thick. Defective carboys not authorized.

(b) Closing devices required: (For carboys without screw thread finish.) As follows except when otherwise authorized in the packing regulations:



(1) Acidproof stoppers or other devices, with gaskets, securely fastened; closures to be vented or sufficiently porous to vent off pressure; gaskets to be of  $\frac{1}{4}$ -inch asbestos-rope or other resilient material equivalent in efficiency; gaskets cut from asbestos board not authorized.

(2) Glass stoppers ground to fit and securely fastened.

(3) Cork or other efficient device; authorized only when contents are not corrosive.

§ 78.7-5 *Glass carboy bottle.* (a) (Threaded screw-cap closure only.) Must be machine-blown, thoroughly and properly annealed, with screw thread finish having at least one continuous thread to accommodate closure; top of lip smooth and even; must contain 14 pounds of glass, tolerance minus 8 ounces plus 16 ounces. Minimum thickness to be 0.075 inch. Defective carboys not authorized.

(b) Closure: (1) Threaded screw cap which shall be constructed of a suitable plastic or other material resistant to lading.

(2) Gasket or lining for cap must be used and shall be resistant to lading and must be liquid tight; or must be liquid tight up to venting pressure when such venting is prescribed for the material which is to be shipped.

(3) At least one complete continuous thread must be engaged with gasket in place.

§ 78.7-6 *Outside containers.* (a) Plywood drums completely enclosing body of carboy or completely enclosing body and neck of carboy and constructed as follows:

(1) *Lumber.* To be well seasoned, commercially dry, and free from decay, loose knots, knots that would interfere with nailing, and other defects that would materially lessen the strength.

(2) *Body shell.* To be of two plies of good commercial box or sheathing grade hardwood veneer, each not less than  $\frac{1}{16}$  inch in thickness, firmly glued together with waterproof glue (a section of plywood from body shell is immersed in water at room temperature for 48 hours. If no delamination or separation of plies is apparent, the glue is deemed to be waterproof) with the grain of the outside ply parallel and the inner ply vertical to the heads. The body shall be butt-jointed and shall be fastened on the outside with a 28-gauge steel strip, not less than  $1\frac{1}{2}$  inches in width. Staples of 17-gauge shall be driven on each side of the joint, spaced not more than  $1\frac{1}{2}$  inches apart and clinched on inside of the body.

(3) *Heads.* To be of three plies of good commercial box or sheathing grade

hardwood veneer, each not less than  $\frac{1}{10}$  inch in thickness, firmly glued together with waterproof glue (a section of plywood from head is immersed in water at room temperature for 48 hours; if no delamination or separation of plies is apparent, the glue is deemed to be waterproof), with the grain of each outer ply at right angles to the grain of the center ply. Each head shall be circled to fit snugly inside of the body. Interior heads shall be of the same construction.

(4) *Hoops.* To be of hardwood veneer, not less than  $1\frac{3}{4}$  inches wide by  $\frac{1}{2}$  inch thick. Hoops shall be fastened to the body by 17-gauge staples on not less than 3-inch centers and shall be overlapped not less than 3 inches.

(5) *Head liners (plywood drums completely enclosing body of carboy).* When plywood cushioning is used the inner lining strips which support the plywood cushion shall be of hardwood veneer not less than  $\frac{1}{2}$  inch in thickness and  $\frac{3}{8}$  inch in width and shall butt or slightly gap. All other head lining strips shall be made of hardwood veneer not less than  $\frac{1}{2}$  inch in thickness and  $\frac{3}{8}$  inch in width and shall overlap not less than 3 inches. The top head liners shall be fastened by 17-gauge staples on not less than 3-inch centers. The staples shall be driven through the outer hoop and body and clinched on the inside of the veneer strips. The bottom head liners shall be fastened the same as top head liners, or, by 14-gauge staples driven through the head liner and body into the outer hoop on not less than 4-inch centers.

(6) *Head liners (plywood drum completely enclosing body and neck of carboy).* When plywood cushioning is used the inner lining strips which support the plywood cushion shall be of hardwood veneer not less than  $\frac{1}{2}$  inch in thickness and  $\frac{3}{8}$  inch in width and shall butt or slightly gap. All other head lining strips shall be made of hardwood veneer not less than  $\frac{1}{2}$  inch in thickness and  $\frac{3}{8}$  inch in width and shall overlap not less than 3 inches. The inside head liners and the inside liner strips for the false head and support of the top head shall be fastened by 17-gauge staples on not less than 3-inch centers. The staples shall be driven through the outer hoop and body and clinched on the inside of the veneer strips, except that the strips holding the false head shall have staples only through the body and shell liner. The top head liner which forms the final closure shall be fastened to the body by 14-gauge staples driven through the head liner and body into the outer hoop on not less than 4-inch centers. The bottom head liners shall be fastened the same as top head liners, or, by 17-gauge

staples driven through the outer hoop and body and clinched on the inside of the veneer strips on not less than 3-inch centers.

(7) *Battens.* At least  $\frac{5}{8}$  inch by 2 inches secured at each end by two nails driven through the hoops and body shell. One batten must be applied to the bottom of plywood drums, completely enclosing the body of carboys; and two battens must be applied to plywood drums completely enclosing the body and neck of carboys, one of which must be affixed to the top and the other to the bottom of the drum.

§ 78.7-7 *Marking of outside containers.* (a) On each container with letters and figures at least  $\frac{3}{4}$  inch high applied by hot branding iron or black printing ink with high pressure dies as follows:

(1) ICC-1E. This mark shall be understood to certify that the complete package complies with all specification requirements.

(2) Name or symbol (letters) of company setting up the package, or other party assuming responsibility for its compliance with specification requirements; this must be registered with the Bureau of Explosives and located just above or below the mark specified in paragraph (a) (1) of this section.

§ 78.7-8 *Tests—(a) Apparatus.* Standard required. Detail prints can be obtained from Bureau of Explosives, 30 Vesey Street, New York 7, N. Y.

(b) *Method.* Fill with water to lower edge of neck; swing 55 inches measured from wall to nearest bottom edge of basket:

(1) Side shock; test at least 10 carboys.

(2) Bottom shock; test at least 5 carboys.

(c) *Acceptable results.* 90 percent of carboys must not break under side shock; same for bottom shock.

(d) *When required.* By each manufacturing and each filling plant; during each 6 months of each year, one series each year to be witnessed by representative of Bureau of Explosives; separate tests required for:

(1) New packages (those with new outside container).

(2) Used packages.

(3) Packages with carboys differing over 2 gallons.

(4) Packages differing in kind of cushioning.

(e) *Exception.* Tests not required by plant which fills and ships for one shipment only packages obtained from another plant where required tests are made.

(f) *Reports.* Required to be made to Bureau of Explosives on form as follows:



REPORT OF TESTS OF CARBOYS  
(As required by I. C. C. Regulations and Specifications)

(Place) .....  
(Date) .....

Tests made for .....  
(Give name and address of plant for which tests were made) .....

Description of package	Results					
	Number of test	55-inch swing		Number of test	55-inch swing	
		Side	Bottom		Side	Bottom
Capacity .....	1			13		
Condition <sup>1</sup> .....	2			14		
Type of inside container <sup>2</sup> .....	3			15		
Cushioning <sup>3</sup> .....	4			16		
Diameter of bottle .....	5			17		
Size of outside container (inside) .....	6			18		
	7			19		
	8			20		
	9			21		
	10			22		
	11			23		
	12			24		

Specification mark is .....  
Identification symbol is .....  
Remarks .....

(Signature) .....  
(Per) .....

<sup>1</sup> State whether outside container is new or used.

<sup>2</sup> State whether glass, earthenware, etc.

<sup>3</sup> State whether hay, mineral wool, ground cork, excelsior, wood strips ..... type, cork pads ..... type, etc.

SUBPART C—SPECIFICATIONS FOR CYLINDERS

1. Amend § 78.38-13 paragraph (a) (15 F. R. 8387, Dec. 2, 1950) (49 CFR 78.38-13, 1950 Rev.) to read as follows:

§ 78.38 Specification 3B; seamless steel cylinders.

§ 78.38-13 Safety devices and protection for valves, safety devices and other connections, if applied. (a) Must be as required by the Interstate Commerce Commission's regulations that apply (see §§ 73.34 (f), 73.301 (i) and 73.124 (a) of this chapter.)

2. Amend § 78.50-13 paragraph (a) (15 F. R. 8403, Dec. 2, 1950) (49 CFR 78.50-13, 1950 Rev.) to read as follows:

§ 78.50 Specification 4B; welded and brazed steel cylinders.

§ 78.50-13 Safety devices and protection for valves, safety devices, and other connections, if applied. (a) Must be as required by the Interstate Commerce Commission's regulations that apply (see §§ 73.34 (f), 73.301 (i) and 73.124 (a) of this chapter.)

3. Amend § 78.51-13 paragraph (a) (15 F. R. 8406, Dec. 2, 1950) (49 CFR 78.51-13, 1950 Rev.) to read as follows:

§ 78.51 Specification 4BA; welded or brazed steel cylinders made of definitely prescribed steels.

§ 78.51-13 Safety devices and protection for valves, safety devices, and other connections, if applied. (a) Must be as required by the Interstate Commerce Commission's regulations that apply (see §§ 73.34 (f), 73.124 (a), and 73.301 (i) of this chapter.)

SUBPART F—SPECIFICATIONS FOR FIBERBOARD BOXES, DRUMS, AND MAILING TUBES

1. Amend § 78.214-8 paragraph (a) and § 78.214-15 paragraph (b) (15 F. R.

8479, 8480, Dec. 2, 1950) (49 CFR 78.214, 1950 Rev.) to read as follows:

§ 78.214 Specification 23F; fiberboard boxes.

§ 78.214-8 Type authorized. (a) Of solid fiberboard; 1-piece, or 3-piece without recessed heads, fitted with lining tubes except that lining tubes are not required for boxes used for shipment of electric blasting caps packed in accordance with § 73.66 (g) (1) of this chapter. Boxes having handholes are authorized when approved by the Bureau of Explosives.

§ 78.214-15 Authorized gross weight (when packed) and parts required.

(b) Authorized gross weight: 65 pounds when two or more lining tubes are used to divide the box into two or more compartments; 65 pounds when one or more lining tubes are used and contents will consist of one cartridge only or of black powder in bags; 65 pounds when boxes without lining tubes are used for electric blasting caps packed in accordance with § 73.66 (g) (1) of this chapter; 35 pounds in all other cases except that boxes having a single solid fiberboard lining tube at least 0.120 inch thick are authorized for 65 pounds gross weight.

2. Amend § 78.222-4 introductory text of paragraph (a) (15 F. R. 8481, Dec. 2, 1950) (49 CFR 78.222-4, 1950 Rev.) to read as follows:

§ 78.222 Specification 21A; fiber drums.

§ 78.222-4 Type tests. (a) Samples taken at random, filled with dry, finely powdered material to authorized net weight, closed for use, must withstand tests without leakage or serious rupture as follows:

3. Amend § 78.223-4 Introductory text of paragraph (a) (15 F. R. 8481, Dec. 2,

1950) (49 CFR 78.223-4, 1950 Rev.) to read as follows:

§ 78.223 Specification 21B; fiber drums.

§ 78.223-4 Type tests. (a) Samples taken at random, conditioned at least 24 hours at an approximate temperature of 75° F. and relative humidity of 50 percent, filled with dry, finely powdered material to authorized weight, closed for use, must withstand the following tests without leakage and without serious rupture. No single drum shall be expected to withstand more than the test prescribed in any one of the following subparagraphs:

SUBPART I—SPECIFICATIONS FOR TANK CARS

1. Amend § 78.271 paragraph ICC-15 (c) (15 F. R. 8496, Dec. 2, 1950) (49 CFR 78.271, 1950 Rev.) to read as follows:

§ 78.271 Specification for tank cars having lagged forged lapwelded steel tanks class ICC-105A300.

ICC-15. (c) Tanks and safety valves of tank cars used for the transportation of chlorine must be retested as prescribed in paragraph ICC-15 (a) at intervals of two years or less.

2. Amend § 78.280 paragraph AAR-3 (a), add Note 1 to paragraph AAR-6 (j-1) and amend paragraph AAR-6 (j-12) (1) (15 F. R. 8505, 8506 and 8507, Dec. 2, 1950) (49 CFR 78.280, 1950 Rev.) to read as follows:

§ 78.280 Specification for tank cars having fusion-welded steel tanks Class ICC-103-W.

AAR-3. (a) All plates used for tank and expansion dome, where expansion dome is required, must be of open hearth, boiler-plate steel of flange quality complying with requirements of current A. A. R. Specifications M-115 titled Steel, Carbon, Boiler and Firebox for Locomotives, or ASTM Standard Specifications A-201 titled Carbon-Silicon Steel Plates of Intermediate Tensile Ranges for Fusion Welded Boilers and Other Pressure Vessels, Grade A, or ASTM Standard Specifications A-212 titled High Tensile Strength Carbon-Silicon Steel Plates for Boilers and Other Pressure Vessels, Grades A and B, or ASTM Standard Specifications A-285 titled Low and Intermediate Tensile Strength Carbon Steel Plates of Flange and Firebox Qualities, Grade C, with the carbon content of the plates used not to exceed 0.30 percent. These plates may also be clad with other metals, such as nickel, etc.

AAR-6 (j-1) . . . . .

NOTE 1: (a) When a group of ICC-103W, 103A-W, 103B-W, or 104W tanks covered by the same purchase order are being welded in succession, all longitudinal and circumferential double welded butt joints of the first, second, and third completed tanks shall be radiographically examined throughout their entire lengths.

(b) Should the length of slag inclusions or cavities, if any, described in paragraph AAR-6 (j-12) be not greater than  $\frac{1}{16}$  T, where T is the thickness of the weld, and the number of such imperfections is not in excess of one (1) for any fifteen (15) foot increment or radiographed longitudinal and circumferential fusion welded joint of all three tanks, then only the intersections of all longitudinal and circumferential fusion welded joints of all remaining tanks in the first group of twenty (20) covered by the same purchase order shall be radiographed.



(c) Should the length of slag inclusions or cavities, if any, described in paragraph AAR-6 (j-12) be greater than  $\frac{1}{16}T$ , where  $T$  is the thickness of the weld, and the number of such imperfections is in excess of one (1) for any fifteen (15) foot increment of radiographed longitudinal and circumferential fusion welded joints of any of these three radiographed tanks, the succeeding completed tanks covered by the same purchase order shall have their longitudinal and circumferential fusion welded double butt joints radiographed throughout their entire lengths until there are three (3) successively completed and radiographed tanks covered by the same purchase order in which the radiographed fusion welded joints do not contain any imperfections, of a length greater than  $\frac{1}{16}T$  and the number of such imperfections, if any, is not in excess of one (1) for any fifteen (15) foot increment of radiographed longitudinal and circumferential fusion welded joint, following which the succeeding completed seventeen (17) tanks covered by the same purchase order shall have only the intersections of the longitudinal and/or circumferential fusion welded double butt joints radiographed.

(d) For all tanks of the same specification class covered by the same purchase order in excess of the number subjected to the radiographic examination described under subparagraphs (a), (b), and (c), one tank of each succeeding completed group of twenty (20) tanks shall have its longitudinal and circumferential fusion welded double butt joints radiographed throughout their entire lengths. Should the length of the imperfections, if any, described in paragraph AAR-6 (j-12) be not greater than  $\frac{1}{16}T$ , where  $T$  is the thickness of the weld, and the number of such imperfections is not in excess of one (1) for any fifteen (15) foot increment of radiographed longitudinal and circumferential fusion welded joints of this one tank, then only the intersections of all longitudinal and circumferential fusion welded joints of all remaining tanks in the group of twenty (20) covered by the same purchase order shall be radiographed. Should the length of the imperfections, if any, described in paragraph AAR-6 (j-12) be greater than  $\frac{1}{16}T$ , where  $T$  is the thickness of the weld, and the number of such imperfections is in excess of one (1) for any fifteen (15) foot increment of radiographed longitudinal and circumferential fusion welded joints, the succeeding completed tanks covered by the same purchase order shall have their longitudinal and circumferential fusion welded double butt joints radiographed throughout their entire lengths until there are three (3) successively completed and radiographed tanks covered by the same purchase order in which the radiographed fusion welded joints do not contain any imperfections of a length greater than  $\frac{1}{16}T$  and the number of such imperfections, if any, is not in excess of one (1) for any fifteen (15) foot increment of radiographed longitudinal and circumferential fusion welded joint, following which the succeeding completed seventeen (17) tanks covered by the same purchase order shall have only the intersections of the longitudinal and/or circumferential fusion welded double butt joints radiographed.

(e) All double butt fusion welds in tanks other than those referred to in paragraphs (a) to (d), inclusive, shall be radiographed throughout their entire lengths.

#### AAR-6. (j-12)

(1) Welds in which the radiographs show elongated slag inclusions or cavities shall be unacceptable if the length of any such imperfection is greater than  $\frac{1}{2}T$ , where  $T$  is the thickness of the weld. If the lengths of such imperfections are less than  $\frac{1}{2}T$  and are separated from each other by at least  $3L$  of acceptable weld metal, where  $L$  is the length of the longest imperfection, the weld shall

be judged acceptable if the sum of the lengths of such imperfections is not more than  $T$  in a weld length of 12  $T$ .

3. Add paragraphs AAR-6 (j-1) and (j-12) to § 78.283 (15 F. R. 8512, Dec. 2, 1950) (49 CFR 78.283, 1950 Rev.) to read as follows:

#### § 78.283 Specification for tank cars having fusion-welded alloy steel tanks Class ICC-103C-W.

AAR-6. (j-1) Note 1 (paragraphs (a) to (e), inclusive) does not apply.

AAR-6. (j-12) The acceptability of welds examined by radiograph shall be judged by comparing the radiographs with a standard set of radiographs which may be obtained by purchase from Secretary, Mechanical Division, Association of American Railroads. In general the standards of judgment shall be:

(1) Welds in which the radiographs show elongated slag inclusions or cavities shall be unacceptable if the length of any such imperfection is greater than  $\frac{1}{2}T$ , where  $T$  is the thickness of the weld. If the lengths of such imperfections are less than  $\frac{1}{2}T$  and are separated from each other by at least  $6L$  of acceptable weld metal, where  $L$  is the length of the longest imperfection, the weld shall be judged acceptable if the sum of the lengths of such imperfections is not more than  $T$  in a weld length of 12  $T$ .

(2) Welds in which the radiographs show any type of crack or zones of incomplete fusion shall be unacceptable.

(3) Welds in which the radiographs show porosity shall be judged as acceptable or unacceptable by comparison with the standard set of radiographs.

4. Add paragraphs AAR-6 (j-1) and (j-12) to § 78.285 (15 F. R. 8514, Dec. 2, 1950) (49 CFR 78.285, 1950 Rev.) to read as follows:

#### § 78.285 Specification for tank cars having lagged fusion-welded steel tanks Class ICC-104A-W.

AAR-6. (j-1) Note 1 (paragraphs (a) to (e), inclusive) does not apply.

AAR-6. (j-12) The acceptability of welds examined by radiograph shall be judged by comparing the radiographs with a standard set of radiographs which may be obtained by purchase from Secretary, Mechanical Division, Association of American Railroads. In general the standards of judgment shall be:

(1) Welds in which the radiographs show elongated slag inclusions or cavities shall be unacceptable if the length of any such imperfection is greater than  $\frac{1}{2}T$ , where  $T$  is the thickness of the weld. If the lengths of such imperfections are less than  $\frac{1}{2}T$  and are separated from each other by at least  $6L$  of acceptable weld metal, where  $L$  is the length of the longest imperfection, the weld shall be judged acceptable if the sum of the lengths of such imperfections is not more than  $T$  in a weld length of 12  $T$ .

(2) Welds in which the radiographs show any type of crack or zones of incomplete fusion shall be unacceptable.

(3) Welds in which the radiographs show porosity shall be judged as acceptable or unacceptable by comparison with the standard set of radiographs.

5. Add paragraphs AAR-6 (j-1) and (j-12) to § 78.286 and amend paragraph ICC-19 (b) § 78.286 (15 F. R. 8515, 8517, Dec. 2, 1950) (49 CFR 78.286, 1950 Rev.) Class ICC-105A300-W.

#### § 78.286 Specification for tank cars having lagged fusion-welded steel tanks Class ICC-105A300-W.

AAR-6. (j-1) Note 1 (paragraphs (a) to (e), inclusive) does not apply.

AAR-6. (j-12) The acceptability of welds examined by radiograph shall be judged by comparing the radiographs with a standard set of radiographs which may be obtained by purchase from Secretary, Mechanical Division, Association of American Railroads. In general the standards of judgment shall be:

(1) Welds in which the radiographs show elongated slag inclusions or cavities shall be unacceptable if the length of any such imperfection is greater than  $\frac{1}{2}T$ , where  $T$  is the thickness of the weld. If the lengths of such imperfections are less than  $\frac{1}{2}T$  and are separated from each other by at least  $6L$  of acceptable weld metal, where  $L$  is the length of the longest imperfection, the weld shall be judged acceptable if the sum of the lengths of such imperfections is not more than  $T$  in a weld length of 12  $T$ .

(2) Welds in which the radiographs show any type of crack or zones of incomplete fusion shall be unacceptable.

(3) Welds in which the radiographs show porosity shall be judged as acceptable or unacceptable by comparison with the standard set of radiographs.

ICC-19. (b) Tanks and safety valves of tank cars used for the transportation of chlorine must be retested as prescribed in paragraph ICC-19 (a) at intervals of two years or less.

6. Add paragraphs AAR-6 (j-1) and (j-12) to § 78.287 and amend paragraph ICC-19 (b) § 78.287 (15 F. R. 8516, 8517, Dec. 2, 1950) (49 CFR 78.287, 1950 Rev.) to read as follows:

#### § 78.287 Specification for tank cars having lagged fusion-welded steel tanks, Class ICC-105A400-W.

AAR-6. (j-1) Note 1 (paragraphs (a) to (e), inclusive) does not apply.

AAR-6. (j-12) The acceptability of welds examined by radiograph shall be judged by comparing the radiographs with a standard set of radiographs which may be obtained by purchase from Secretary, Mechanical Division, Association of American Railroads. In general, the standards of judgment shall be:

(1) Welds in which the radiographs show elongated slag inclusions or cavities shall be unacceptable if the length of any such imperfection is greater than  $\frac{1}{2}T$ , where  $T$  is the thickness of the weld. If the lengths of such imperfections are less than  $\frac{1}{2}T$  and are separated from each other by at least  $6L$  of acceptable weld metal, where  $L$  is the length of the longest imperfection, the weld shall be judged acceptable if the sum of the lengths of such imperfections is not more than  $T$  in a weld length of 12  $T$ .

(2) Welds in which the radiographs show any type of crack or zones of incomplete fusion shall be unacceptable.

(3) Welds in which the radiographs show porosity shall be judged as acceptable or unacceptable by comparison with the standard set of radiographs.

ICC-19. (b) Tanks and safety valves of tank cars used for the transportation of chlorine must be retested as prescribed in paragraph ICC-19 (a) at intervals of two years or less.

7. Add paragraphs AAR-6 (j-1) and (j-12) to § 78.288 and amend paragraph ICC-19 (b) § 78.288 (15 F. R. 8518, 8519, Dec. 2, 1950) (49 CFR 78.288, 1950 Rev.) to read as follows:

#### § 78.288 Specification for tank cars having lagged fusion-welded steel tanks Class ICC-105A500-W.



AAR-6. (j-1) Note 1 (paragraphs (a) to (e), inclusive) does not apply.

AAR-6. (j-12) The acceptability of welds examined by radiograph shall be judged by comparing the radiographs with a standard set of radiographs which may be obtained by purchase from Secretary, Mechanical Division, Association of American Railroads. In general the standards of judgment shall be:

(1) Welds in which the radiographs show elongated slag inclusions or cavities shall be unacceptable if the length of any such imperfection is greater than  $\frac{1}{2}$  T, where T is the thickness of the weld. If the lengths of such imperfections are less than  $\frac{1}{2}$  T and are separated from each other by at least 6 L of acceptable weld metal, where L is the length of the longest imperfection, the weld shall be judged acceptable if the sum of the lengths of such imperfections is not more than T in a weld length of 12 T.

(2) Welds in which the radiographs show any type of crack or zones of incomplete fusion shall be unacceptable.

(3) Welds in which the radiographs show porosity shall be judged as acceptable or unacceptable by comparison with the standard set of radiographs.

ICC-19. (b) Tanks and safety valves of tank cars used for the transportation of chlorine must be retested as prescribed in paragraph ICC-19 (a) at intervals of two years or less.

8. Add paragraphs AAR-6 (j-1) and (j-12) to § 78.289 and amend paragraph ICC-19 (b) § 78.289 (15 F. R. 8519, 8520, Dec. 2, 1950) (49 CFR 78.289, 1950 Rev.) to read as follows:

§ 78.289 *Specification for tank cars having lagged fusion-welded steel tanks* Class ICC-105A600-W. \* \* \*

AAR-6. (j-1) Note 1 (paragraphs (a) to (e), inclusive) does not apply.

AAR-6. (j-12) The acceptability of welds examined by radiograph shall be judged by comparing the radiographs with a standard set of radiographs which may be obtained by purchase from Secretary, Mechanical Division, Association of American Railroads. In general the standards of judgment shall be:

(1) Welds in which the radiographs show elongated slag inclusions or cavities shall be unacceptable if the length of any such imperfection is greater than  $\frac{1}{2}$  T, where T is the thickness of the weld. If the lengths of such imperfections are less than  $\frac{1}{2}$  T and are separated from each other by at least 6 L of acceptable weld metal, where L is the length of the longest imperfection, the weld shall be judged acceptable if the sum of the lengths of such imperfections is not more than T in a weld length of 12 T.

(2) Welds in which the radiographs show any type of crack or zones of incomplete fusion shall be unacceptable.

(3) Welds in which the radiographs show porosity shall be judged as acceptable or unacceptable by comparison with the standard set of radiographs.

ICC-19. (b) Tanks and safety valves of tank cars used for the transportation of chlorine must be retested as prescribed in paragraph ICC-19 (a) at intervals of two years or less.

#### SUBPART J—SPECIFICATIONS FOR CONTAINERS FOR MOTOR VEHICLE TRANSPORTATION

1. Amend § 78.321, footnote 7 to paragraph (a) of § 78.321-5, § 78.321-11 para-

graph (a) and add paragraph (b), amend § 78.321-12 paragraph (a) and table and add paragraph (b) and tables, amend § 78.321-13 paragraph (a), § 78.321-14 paragraph (a) and § 78.321-18 paragraph (b) (1) (15 F. R. 8545, 8546, Dec. 2, 1950) (49 CFR 78.321, 1950 Rev.) to read as follows:

§ 78.321 *Specification MC300; cargo tanks constructed of mild (open hearth or blue annealed) steel or combination of mild steel with high-tensile steel.* To be mounted on and to form part of tank motor vehicles for transportation of flammable liquids, and poisonous liquids, class B.

Yield point, minimum.....	25,000 lb. per sq. in.
Ultimate strength, minimum.....	45,000 lb. per sq. in.
Minimum elongation, standard 2-inch sample.....	20 percent

(b) *Properties of high-tensile steel sheets.* All high-tensile steel sheets for such cargo tanks shall meet the following minimum requirements:

Yield point, minimum.....	50,000 lb. per sq. in.
Ultimate strength, minimum.....	65,000 lb. per sq. in.
Minimum elongation, standard 2-inch sample.....	20 percent

§ 78.321-12 *Thickness of steel sheets*—(a) *Thickness of mild steel sheets.* The minimum thickness of mild steel tank sheets shall be limited by the volume capacity of the tank expressed in terms of gallons per inch of length; and by the distance between bulkheads, baffles, or other shell stiffeners, as well as by the radius of shell curvature in the case of shell sheets; as specified in Table I and Table II:

TABLE I—MINIMUM THICKNESS OF HEADS,<sup>1</sup> BULKHEADS, AND BAFFLES (DISHED, CORRUGATED, REINFORCED OR ROLLED)

Volume capacity of tank in gallons per inch of length	10 or less	Over 10 to 14	Over 14 to 18	Over 18
United States Standard gauge number.....	14	13	12	11

<sup>1</sup> Thickness of exterior head sheets shall never be less than the minimum requirements for shell sheets in any specific unit.

TABLE II.—MINIMUM THICKNESS OF SHELL SHEETS EXPRESSED IN UNITED STATES STANDARD GAUGE

Distance between attachments of bulkheads, baffles, or other shell stiffeners	Volume capacity of tank in gallons per inch of length			
	10 or less	Over 10 to 14	Over 14 to 18	Over 18
Maximum shell radius of less than 70 inches <sup>1</sup>				
36 inches or less.....	14	14	14	13
Over 36 inches to 54 inches.....	14	14	13	12
Over 54 inches to 60 inches.....	14	13	12	11
Maximum shell radius of 70 inches or more, but less than 90 inches <sup>1</sup>				
36 inches or less.....	14	14	13	12
Over 36 inches to 54 inches.....	14	13	12	11
Over 54 inches to 60 inches.....	13	12	11	10
Maximum shell radius of 90 inches or more, but less than 125 inches <sup>1</sup>				
36 inches or less.....	14	13	12	11
Over 36 inches to 54 inches.....	13	12	11	10
Over 54 inches to 60 inches.....	12	11	10	9
Shell radius of 125 inches or more <sup>1</sup>				
36 inches or less.....	13	12	11	10
Over 36 inches to 54 inches.....	12	11	10	9
Over 54 inches to 60 inches.....	11	10	9	8

<sup>1</sup> If other than circular cross-section, the radius used shall be the maximum for that portion of the cross-section under consideration.

(b) *Thickness of high-tensile steel sheets.* The minimum thickness of high-tensile steel tank sheets shall be limited by the volume capacity of the tank expressed

§ 78.321-5 *Marking of cargo tanks.*  
(a) \* \* \*

<sup>1</sup> Substitute "API SPEC 1001, 1937", or "NFPA SPEC 1929 (or 1933)", or "no specification", or "MC 300", subject to published specifications at time of construction. On or after November 9, 1951, cargo tanks manufactured of mild steel shall be marked MC 300MS and cargo tanks manufactured of mild steel in combination with high-tensile steel shall be marked MC 300MSHTS.

§ 78.321-11 *Properties of material.*  
(a) *Properties of mild steel sheets.* All mild steel sheets for such cargo tanks shall be of open hearth steel or blue annealed steel meeting the following minimum requirements:



in terms of gallons per inch of length; and by the distance between bulkheads, baffles, or other shell stiffeners, as well as by the radius of shell curvature in the case of shell sheets; as specified in Table III and Table IV:

TABLE III.—MINIMUM THICKNESS OF HEADS,<sup>1</sup> BULKHEADS, AND BAFFLES (DISHED, CORRUGATED, REINFORCED OR ROLLED)

Volume capacity of tank in gallons per inch of length	10 or less	Over 10 to 14	Over 14 to 18	Over 18
United States Standard gauge number.....	15	14	13	12

<sup>1</sup> Thickness of exterior head sheets shall never be less than the minimum requirements for shell sheets in any specific unit.

TABLE IV.—MINIMUM THICKNESS OF SHELL SHEETS EXPRESSED IN UNITED STATES STANDARD GAUGE

Distance between attachments of bulkheads, baffles, or other shell stiffeners	Volume capacity of tank in gallons per inch of length			
	10 or less	Over 10 to 14	Over 14 to 18	Over 18
Maximum shell radius of less than 70 inches <sup>1</sup>				
36 inches or less.....	16	15	14	13
Over 36 inches to 54 inches.....	16	15	14	13
Over 54 inches to 60 inches.....	15	14	13	12
Maximum shell radius of 70 inches or more, but less than 90 inches <sup>1</sup>				
36 inches or less.....	16	15	14	13
Over 36 inches to 54 inches.....	15	14	13	12
Over 54 inches to 60 inches.....	14	13	12	11
Maximum shell radius of 90 inches or more, but less than 125 inches <sup>1</sup>				
36 inches or less.....	15	14	13	12
Over 36 inches to 54 inches.....	14	13	12	11
Over 54 inches to 60 inches.....	13	12	11	10
Shell radius of 125 inches or more <sup>1</sup>				
36 inches or less.....	14	13	12	11
Over 36 inches to 54 inches.....	13	12	11	10
Over 54 inches to 60 inches.....	12	11	10	9

<sup>1</sup> If other than circular cross-section, the radius used shall be the maximum for that portion of the cross-section under consideration.

§ 78.321-13 *Cargo tanks constructed of a combination of mild and high-tensile steels.* Mild steel sheets as specified in § 78.321-12 (a) may be used in combination with high-tensile steel sheets as specified in § 78.321-12 (b) in the construction of a single tank, provided each material, where used, shall comply with the minimum requirements for the material used in the construction for that section of the tank.

§ 78.321-14 *Joints—(a) Method of joining.* Mild steel tank sheets, high-tensile steel tank sheets, or combination thereof shall be joined by fusion welding, riveting and fusion welding, brazing, or riveting and brazing at the option of the motor carrier.

§ 78.321-18 *Bulkheads or baffles.* (a)

(b) \* \* \*

(1) Every cargo tank having a total capacity in excess of 1,500 gallons shall be divided by bulkheads into compartments none of which shall exceed 1,200 gallons. A tolerance of ten percent (10%) shall be allowed for capacities of individual compartments or tanks. Flat bulkheads without reinforcement shall not be permitted.

(Sec. 204, 49 Stat. 546, as amended, sec. 835, 62 Stat. 739; 49 U. S. C. 304, 18 U. S. C. Sup. 835)

*It is further ordered,* That the foregoing amendments to the aforesaid regulations shall have full force and effect on December 31, 1951, and that such regulations as herein amended shall thereafter be observed until further order of the Commission.

*It is further ordered,* That compliance with the aforesaid regulations as herein amended is hereby authorized on and after the date of service of this order.

*And it is further ordered,* That copies of this order be served upon all parties of record herein, and that notice shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 51-13891; Filed, Nov. 20, 1951; 8:50 a. m.]

## Subchapter B—Carriers by Motor Vehicle

[Ex Parte MC-37; No. MC-C-2]

### PART 170—COMMERCIAL ZONES

#### COMMERCIAL ZONES AND TERMINAL AREAS

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 9th day of November A. D. 1951.

Section 203 (b) (8) of the Interstate Act (49 U. S. C. 303 (b) (8)) and the transportation of passengers and property by motor vehicle, in interstate or foreign commerce, wholly within a municipality, or between contiguous municipalities, or within a zone adjacent to and commercially a part of any municipality being under consideration, and good cause appearing therefor:

*It is ordered,* That the order entered in No. MC-C-2 on April 5, 1937, (1 M. C. C. 665, 49 CFR 170.1 (a), (b)) is hereby vacated and set aside; and the following revision is substituted in lieu thereof:

§ 170.1 *New York, N. Y.* (a) The application of § 170.16 is hereby extended to New York, N. Y.

(b) The exemption provided by section 203 (b) (8) of the Interstate Commerce Act, of transportation by motor vehicle, in interstate or foreign commerce, performed wholly within the zone the limits of which are defined in paragraph (a) of this section, is hereby removed as to all such transportation except (1) transportation which is performed wholly within the following territory: The area within the corporate limits of the cities of New York, Yonkers, Mount Vernon, North Pelham, Pelham, Pelham Manor, Great Neck Estates, Floral Park, and Valley Stream, N. Y., and Englewood, N. J.; the area within the borough limits of Alpine, Tenafly, Englewood Cliffs, Leonia, Fort Lee, Edgewater, Cliffside Park, Fairview, Palisades Park, and Ridgefield Boroughs, Bergen County, N. J.; and that part of Hudson County, N. J., east of Newark Bay and the Hackensack River; and (2) transportation which is performed in respect of any shipment which has had a prior, or will have a subsequent, movement by water carrier, and which is performed wholly between points named in subparagraph (1) of this paragraph, on the one hand and, on the other, those points in the City of Newark, N. J., identified as follows: All points in that area within the corporate limits of the City of Newark, N. J., west of Newark Bay and bounded on the south by Bound Creek and the boundary line between the City of Newark and the City of Elizabeth, N. J., on the west by New Jersey Highway 25, and on the north by the property of The Pennsylvania Railroad Company.

*It is further ordered,* That the order entered in Ex Parte No. MC-37 on July 19, 1948, insofar as it relates to the commercial zones of municipalities in New Jersey within 5 miles of New York, N. Y.,



and to the commercial zones of municipalities in Westchester and Nassau Counties, N. Y. (48 M. C. C. 441, 13 F. R. 4393, 49 CFR 170.11 and 170.12) is hereby vacated and set aside; and the following revision is substituted in lieu thereof:

§ 170.11 *Commercial Zones of Municipalities in New Jersey within 5 miles of New York, N. Y.* (a) The application of § 170.16 is hereby extended to each municipality in New Jersey, any part of which is within 5 miles of the corporate limits of New York, N. Y.

(b) The exemption provided by section 203 (b) (8) of the Interstate Commerce Act, of transportation by motor vehicle, in interstate or foreign commerce, performed wholly within any commercial zone, the limits of which are defined in paragraph (a) of this section, is hereby removed as to all such transportation except (1) transportation

which is performed wholly between any two points in New Jersey, or (2) transportation which is performed wholly between points in New Jersey named in § 170.1 (b) (1), on the one hand, and, on the other, points in New York named in § 170.1 (b) (1).

§ 170.12 *Commercial Zones of Municipalities in Westchester and Nassau Counties, N. Y.* (a) The application of § 170.16 is hereby extended to each municipality in Westchester or Nassau Counties, N. Y.

(b) The exemption provided by section 203 (b) (8) of the Interstate Commerce Act, of transportation by motor vehicle, in interstate or foreign commerce, performed wholly within any commercial zone, the limits of which are defined in paragraph (a) of this section, is hereby removed as to all such transportation except (1) transportation

which is performed wholly between points in New York neither of which is New York City, N. Y., or (2) transportation which is performed wholly between points in Westchester or Nassau County named in § 170.1 (b) (1), on the one hand, and, on the other, New York City, N. Y., or points in New Jersey named in § 170.1 (b) (1).

And this order shall become effective on January 10, 1952, and shall continue in effect until the further order of the Commission.

(49 Stat. 546, as amended; 49 U. S. C. 304. Interprets or applies 49 Stat. 544, as amended; 49 U. S. C. 303)

By the Commission, Division 5.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 51-13894; Filed, Nov. 20, 1951; 8:51 a. m.]

## PROPOSED RULE MAKING

### CIVIL AERONAUTICS BOARD

[ 14 CFR, Parts 40, 41, 42 ]

#### ELIMINATION OF REQUIREMENT FOR MANDATORY CERTIFICATION IN TRANSPORT CATEGORY

##### NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Civil Aeronautics Board has under consideration proposed amendments of Parts 40, 41, and 42 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. All communications received by December 21, 1951 will be considered by the Board before taking further action on the proposed rules. Copies of such communications will be available after December 27, 1951, for examination by interested persons at the Docket Section of the Board, Room 5412, Commerce Building, Washington, D. C.

At the present time Parts 40, 41, and 42 of the Civil Air Regulations provide that aircraft used in air carrier passenger service after December 31, 1953, must comply with the transport category requirements of the appropriate aircraft certification rules and must meet the transport category performance requirements of the appropriate operating parts. Although this provision was intended to force all aircraft to be recertificated in the transport category or be removed from air carrier passenger service, the

Board has found it necessary on several occasions to extend the effective date of this requirement in order to allow the continued operation of such aircraft types as the Lockheed 18 and the Douglas DC-3.

The safety records of the Lockheed 18 and the DC-3, as compared to other aircraft in similar operations, have been entirely satisfactory, and these records militate against what would be the enforced retirement of such aircraft on any presently fixed date. It appears that no retroactive application of completely different certification rules need be made except where the safety record of the aircraft involved clearly demonstrates such action to be necessary.

It is therefore proposed to amend Parts 40, 41, and 42 of the Civil Air Regulations as follows:

1. By rescinding § 40.21 (c).
2. By rescinding § 41.26 (c).
3. By rescinding § 42.15 (c).
4. By redesignating present § 42.15 (d) as § 42.15 (c).

These amendments are proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended. The proposals may be changed in the light of comments received in response to this notice of proposed rule making.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601-610, 52 Stat. 1007-1012; 49 U. S. C. 551-560)

Dated: November 16, 1951, at Washington, D. C.

By the Civil Aeronautics Board,

[SEAL] M. C. MULLIGAN,  
Secretary.

[F. R. Doc. 51-13916; Filed, Nov. 20, 1951; 8:53 a. m.]

### FEDERAL SECURITY AGENCY

#### Food and Drug Administration

[ 21 CFR Part 45 ]

[Docket No. FDC-25 (a)]

#### OLEOMARGARINE; DEFINITION AND STANDARD OF IDENTITY

##### ORDER EXTENDING TIME FOR FILING EXCEPTIONS TO TENTATIVE ORDER

On October 13, 1951, there was published in the FEDERAL REGISTER (16 F. R. 10492) a notice of proposed rule making issued by the Acting Federal Security Administrator in the matter of amending the definition and standard of identity for oleomargarine. The notice provided that any person whose appearance was filed at the hearing may, within 30 days from the date of publication, file with the Hearing Clerk, Federal Security Agency, Room 5440, Federal Security Building, Fourth Street and Independence Avenue SW., Washington, D. C., written exceptions to the proposed order, which exceptions may be accompanied by a memorandum or brief in support thereof.

The Federal Security Administrator, having been petitioned by interested persons whose appearances were filed at the hearing, to extend the period of time in which such exceptions and supporting memoranda or briefs may be filed, and good cause therefor appearing: *It is ordered*, That the time for filing such documents be hereby extended to December 13, 1951, and that said extension shall apply to any interested person whose appearance was filed at the hearing.

Dated: November 13, 1951.

[SEAL] JOHN L. THURSTON,  
Acting Administrator.

[F. R. Doc. 51-13885; Filed, Nov. 20, 1951; 8:49 a. m.]



## NOTICES

## DEPARTMENT OF THE INTERIOR

## Office of the Secretary

[Order No. 2668]

## UNDER SECRETARY

## TRANSFER OF SECRETARIAL FUNCTIONS RELATING TO WATER AND POWER DEVELOPMENT

NOVEMBER 15, 1951.

Effective November 9, 1951, the Under Secretary in addition to his duties, discharges the duties and performs the functions of the Secretary in the development of water and power, and exercises secretarial direction and supervision over the following agencies: (1) Bureau of Reclamation; (2) Bonneville Power Administration; (3) Southwestern Power Administration; (4) South-eastern Power Administration.

OSCAR L. CHAPMAN,  
Secretary of the Interior.

[F. R. Doc. 51-13863; Filed, Nov. 20, 1951;  
8:46 a. m.]

## DEPARTMENT OF COMMERCE

## National Production Authority

[NPA Delegation 15]

## SECRETARY OF THE INTERIOR

DELEGATION OF AUTHORITY TO ADMINISTER  
NPA ORDER M-87

1. Pursuant to the authority of the Defense Production Act of 1950, as amended, Executive Orders 10161 (15 F. R. 6105) and 10200 (16 F. R. 61), and Defense Production Administration Delegation 1 (16 F. R. 738), there is hereby delegated to the Secretary of the Interior the authority to take the following action in the administration of NPA Order M-87 relating to priorities assistance for maintenance, repair, and operating supplies and major capital additions for the solid fuels industry:

(a) To approve, disapprove, revise, or adjust MRO quotas.

(b) To assign the right to apply ratings for major capital additions.

(c) To take any other action which NPA Order M-87 provides may be taken by the Defense Solid Fuels Administration, Department of Interior.

2. The authority herein delegated shall be exercised in conformity with the regulations and orders of the National Production Authority and also in conformity with such policy directives as the National Production Authority may issue from time to time.

3. The Secretary of the Interior may redelegate this authority and authorize its successive redelegation to any other persons within the Department of the Interior.

This delegation shall take effect on November 21, 1951.

NATIONAL PRODUCTION  
AUTHORITY,  
MANLY FLEISCHMANN,  
Administrator.

[F. R. Doc. 51-14016; Filed, Nov. 20, 1951;  
11:24 a. m.]

EXECUTIVE OFFICE OF THE  
PRESIDENT

## Office of Defense Mobilization

[CDHA No. 13]

FINDING AND DETERMINATION OF CRITICAL  
DEFENSE HOUSING AREAS UNDER THE  
DEFENSE HOUSING AND COMMUNITY  
FACILITIES AND SERVICES ACT OF 1951

NOVEMBER 19, 1951.

Upon a review of the construction of new defense plants and installations, and the reactivation or expansion of operations of existing defense plants and installations, and the in-migration of defense workers or military personnel to carry out activities at such plants or installations, and the availability of housing and community facilities and services for such defense workers and military personnel in each of the areas set forth below, I find that all of the conditions set forth in section 101 (b) of the Defense Housing and Community Facilities and Services Act of 1951 (Pub. Law 139, 82d Cong., 1st sess.) exist.

Accordingly, pursuant to section 101 of the Defense Housing and Community Facilities and Services Act of 1951 and by virtue of the authority vested in me by paragraph number 1 of Executive Order 10296 of October 2, 1951, I hereby determine that each of said areas is a critical defense housing area.

*New London, Connecticut, Area.* (The area consists of the towns of East Lyme, Groton, Lyme, Ledyard, Montville, New London, North Stonington, Old Lyme, Salem, Stonington and Waterford in New London County, Connecticut.)

*Whidbey Island, Washington, Area.* (The area consists of Island County; and the election precincts of Conway, Dewey, Fidalgo, Fir, Harmony, Milltown, Mount Vernon 1 through 9 inclusive, North Avon, North La Conner, South Avon, South La Conner, Swinomish, and Whitney, and the city of Anacortes, in Skagit County; all in Washington.)

*Tullahoma, Tennessee, Area.* (The area consists of Coffee and Moore Counties; Civil Districts 12, 13, 16, and 21 in Franklin County; and Civil Districts 9, 10, 11, 18, and 19 in Bedford County; all in Tennessee.)

*San Marcos, Texas, Area.* (The area consists of Caldwell, Comal, Guadalupe, and Hayes Counties; all in Texas.)

*Othello, Washington, Area.* (The area consists of Othello election precinct in Adams County, Washington.)

*Corona, California, Area.* (The area consists of the Township of Temescal and Corona City in Riverside County, California.)

C. E. WILSON,

Director,

Office of Defense Mobilization.

[F. R. Doc. 51-14014; Filed, Nov. 20, 1951;  
11:17 a. m.]

ECONOMIC STABILIZATION  
AGENCY

## Office of Price Stabilization

[Region XI, Redlegation of Authority 2,  
Correction]

Section 26 of CPR 15 was omitted in the second paragraph of Region XI, Re-

delegation of Authority 2 (16 F. R. 10618). Accordingly the second paragraph is amended to read as follows:

Authority is hereby redelegated to the Directors of the Denver, Colorado and Salt Lake City, Utah District Offices of the Office of Price Stabilization to act on all applications for price action and adjustment under the provisions of sections 15 (c), 26a, 28a and 28b of CPR 14, sections 21 (a) 26, 26a, 27 and 30 (b) of CPR 15, and sections 22 (b), 24, 24a and 26 (b) of CPR 16.

GEORGE F. ROCK,  
Director of Regional Office No. XI.

NOVEMBER 20, 1951.

[F. R. Doc. 51-14022; Filed, Nov. 20, 1951;  
11:33 a. m.]

## FEDERAL POWER COMMISSION

[Project No. 739]

## APPALACHIAN ELECTRIC POWER COMPANY

## NOTICE OF CONTINUANCE OF HEARING

NOVEMBER 14, 1951.

Upon consideration of the request by Counsel for Appalachian Electric Power Company, filed November 13, 1951, for continuance of the hearing now scheduled for November 19, 1951, in the above-designated matter;

Notice is hereby given that the hearing in the above-designated matter be and it is hereby continued to December 19, 1951, at 10:00 a. m., in the Commission's Hearing Room, at 1800 Pennsylvania Avenue, N. W., Washington, D. C.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 51-13864; Filed, Nov. 20, 1951;  
8:46 a. m.]

HOUSING AND HOME FINANCE  
AGENCY

## Office of the Administrator

DIRECTOR, DIVISION OF SLUM CLEARANCE  
AND URBAN REDEVELOPMENTDELEGATION OF AUTHORITY WITH RESPECT  
TO CONTRACTS FOR FINANCIAL ASSISTANCE

1. The Director, Division of Slum Clearance and Urban Redevelopment, is hereby authorized, on behalf of the Housing and Home Finance Administrator:

(A) To execute contracts for financial assistance in the administration of Title I of the Housing Act of 1949 (63 Stat. 414-421, 42 U. S. C., 1946 ed. Sup. IV 1451-1460), including amendatory, supplementary and superseding contracts, in such amounts and with such local public agencies as are authorized and approved by the Administrator, and to execute waivers with respect to such contracts;

(B) To approve requisitions and vouchers for funds to be disbursed under the foregoing types of contracts;

(C) To extend and cancel reservations of capital grant monies made under Title



I of the Act (63 Stat. 416-417, 42 U. S. C., 1946 ed. Sup. IV 1453-1455); and

(D) In connection with carrying out any of the powers set forth in paragraphs (A) and (B) above, to carry out the functions and responsibilities vested in the Administrator under section 109 of Title I of the Act (63 Stat. 419, 42 U. S. C., Sup. IV 1459).

2. Contracts and waivers executed by the Director pursuant to paragraph (A) shall be signed in the following form:

UNITED STATES OF AMERICA,  
HOUSING AND HOME FINANCE  
ADMINISTRATOR,

By \_\_\_\_\_  
Director, Division of Slum  
Clearance and Urban Rede-  
velopment.

3. Documents reflecting action taken by the Director pursuant to paragraphs (B), (C) and (D) shall be signed in the following form:

HOUSING AND HOME FINANCE  
ADMINISTRATOR,

By \_\_\_\_\_  
Director, Division of Slum  
Clearance and Urban Rede-  
velopment.

4. The Delegation of Authority to the Director, Division of Slum Clearance and Urban Redevelopment, heretofore made by the Housing and Home Finance Administrator and published in the FEDERAL REGISTER on September 21, 1950, is repealed as of the date the within delegation becomes legally effective.

(Reorg. Plan No. 3 of 1947, 61 Stat. 954 (1947); 62 Stat. 1268, 1283-85 (1948), as amended, 12 U. S. C., Sup. IV 1701c; 63 Stat. 413, 417 (1949), as amended, 42 U. S. C., Sup. IV 1456; Pub. L. 475, 81st Cong. 2d sess. sec. 503 (1) (Apr. 20, 1950))

Effective this 21st day of November 1951.

[SEAL] RAYMOND M. FOLEY,  
Housing and Home  
Finance Administrator.

[F. R. Doc. 51-13893; Filed, Nov. 20, 1951;  
8:50 a. m.]

## INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26565]

BRICK FROM HEBRON, N. DAK., TO POINTS  
IN IOWA, MINNESOTA, AND SOUTH  
DAKOTA

APPLICATION FOR RELIEF

NOVEMBER 16, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The Northern Pacific Railway Company for itself and on behalf of carriers parties to its tariff I. C. C. No. 9831.

Commodities involved: Brick and related articles, carloads.

From: Hebron, N. Dak.

To: Points in Iowa, Minnesota, and South Dakota.

Grounds for relief: Competition with rail carriers, circuitous routes, and to

apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: NP RR tariff I. C. C. No. 9831.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 51-13887; Filed, Nov. 20, 1951;  
8:49 a. m.]

[4th Sec. Application 26566]

ZIRCONIUM ORE FROM POINTS IN PENN-  
SYLVANIA, TO NASHVILLE, TENN.

APPLICATION FOR RELIEF

NOVEMBER 16, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin, Agent, for carriers parties to his tariff I. C. C. No. A-911.

Commodities involved: Zirconium ore, carloads.

From: Exton, Frazer, and Wilkinsburg, Pa.

To: Nashville, Tenn.

Grounds for relief: Competition with rail carriers, circuitous routes, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. W. Boin's tariff I. C. C. No. A-911, Supp. 30.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon

a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 51-13888; Filed, Nov. 20, 1951;  
8:49 a. m.]

[4th Sec. Application 26567]

RUBBER TIRES FROM CONSHOHOCKEN TO  
ELBA, PA.

APPLICATION FOR RELIEF

NOVEMBER 16, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin, Agent, for carriers parties to his tariff I. C. C. No. A-911.

Commodities involved: Tires, artificial, guayule, natural, neoprene or synthetic rubber, pneumatic, and parts, carloads. From: Conshohocken, Pa.

To: Elba, Pa.

Grounds for relief: Circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. W. Boin's tariff I. C. C. No. A-911, Supp. 30.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 51-13889; Filed, Nov. 20, 1951;  
8:50 a. m.]

[4th Sec. Application 26568]

ALCOHOL AND RELATED ARTICLES FROM  
POINTS IN SOUTHWEST TO MADISON,  
IND.

APPLICATION FOR RELIEF

NOVEMBER 16, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3721.



Commodities involved: Alcohol, proprietary anti-freeze preparations, and related articles, carloads.

From: Specified points in Arkansas, Louisiana, Oklahoma, and Texas.

To: Madison, Ind.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir's tariff I. C. C. No. 3721, Supp. 197.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 51-13890; Filed, Nov. 20, 1951;  
8:50 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3511]

REPUBLIC PETROLEUM CO.

NOTICE OF APPLICATION TO STRIKE FROM  
LISTING AND REGISTRATION, AND OF OP-  
PORTUNITY FOR HEARING

NOVEMBER 15, 1951.

The Los Angeles Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, has made application to strike from registration and listing the Capital Stock, \$1 Par Value, of Republic Petroleum Company.

The application alleges that the reasons for striking this security from registration and listing on this exchange are as follows:

(1) Pursuant to authorization by the stockholders, directors and officers, the Republic Petroleum Company has been dissolved and is in the process of liquidation.

(2) Pursuant to an offer made to all stockholders by one H. H. Myers, of Dallas, Texas, to purchase all outstanding shares of the Capital Stock of Republic Petroleum Company, in excess of ninety percent of the outstanding shares have been purchased by H. H. Myers.

(3) The above security was suspended from dealing on the Los Angeles Stock Exchange on September 25, 1950, for failure to maintain transfer and registrar facilities, as required by the Listing Agreement between the issuer and the exchange.

(4) In view of the concentration of ownership of this security in one stockholder, continued listing and registration of the security on the Los Angeles Stock Exchange serves no further purpose.

Upon receipt of a request, prior to December 14, 1951, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms or conditions. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 51-13870; Filed, Nov. 20, 1951;  
8:48 a. m.]

[File No. 7-1352]

INTERNATIONAL MINERALS & CHEMICAL  
CORP.

NOTICE OF APPLICATION FOR UNLISTED TRADING  
PRIVILEGES, AND OF OPPORTUNITY FOR  
HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 15th day of November, A. D. 1951.

The Philadelphia-Baltimore Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$5 Par Value, of International Minerals & Chemical Corporation, a security listed and registered on the Midwest Stock Exchange and on the New York Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to December 6, 1951, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of

the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 51-13868, Filed, Nov. 20, 1951;  
8:47 a. m.]

[File No. 70-2737]

COLUMBIA GAS SYSTEM, INC.

ORDER AUTHORIZING ISSUANCE AND SALE OF  
2¾ PERCENT NOTES TO CERTAIN BANKS

NOVEMBER 15, 1951.

The Columbia Gas System, Inc. ("Columbia"), a registered holding company, having filed a declaration with this Commission pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935 with respect to the following transactions:

Columbia proposes to borrow not to exceed in the aggregate \$15,000,000 from time to time prior to December 15, 1951 from certain banking institutions and to issue notes in evidence thereof. The proposed borrowings will be made in the indicated amounts from the following banks:

Name of bank	Maximum Participation
Guaranty Trust Co. of New York	\$7,000,000
Chemical Bank & Trust Co.	2,000,000
Irving Trust Co.	2,000,000
Mellon National Bank & Trust Co.	2,000,000
Bankers Trust Co.	1,000,000
The First National Bank of the City of New York	1,000,000

The notes to be issued by Columbia evidencing such borrowings will be dated as of the date the money is borrowed in each case and will mature June 15, 1952. Interest on the notes for the loans actually made will be 2¾ percent per annum and the loan agreement with the banks provides that the principal of such loans may be prepaid by Columbia at any time on three days' prior notice in whole or in part without premium, together with accrued interest on the amounts prepaid to the date of payment.

Columbia has a declaration now pending before the Commission requesting approval of the issuance and sale by Columbia of 1,501,826 shares of additional common stock. It is represented that the proposed notes will be repaid from a portion of the proceeds to be derived from the sale of such common stock.

Columbia states that the proposed transactions are necessary in order to finance a construction program which is urgently required in order to render gas service to the customers of its subsidiaries.

Said declaration having been filed on November 1, 1951 and notice of said declaration having been given in the form and manner prescribed in Rule U-23 promulgated under the act and the Commission not having received a request for a hearing with respect to said declaration within the time specified in said



notice or otherwise, and the Commission not having ordered a hearing thereon; and

The Commission finding with respect to said declaration that the requirements of the applicable provisions of the act and the rules and regulations promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration be permitted to become effective forthwith:

*It is ordered*, Pursuant to Rule U-23, and the applicable provisions of the Public Utility Holding Company Act of 1935, that said declaration be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 51-13869; Filed, Nov. 20, 1951;  
8:47 a. m.]

[File No. 70-2739]

AMERICAN GAS AND ELECTRIC CO.

NOTICE OF FILING REGARDING BORROWINGS  
BY HOLDING COMPANY AND CAPITAL CON-  
TRIBUTION TO SUBSIDIARY

NOVEMBER 15, 1951.

Notice is hereby given that American Gas and Electric Company ("American Gas"), a registered holding company, has filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly section 7 thereof and Rule U-45 of the Rules and Regulations promulgated thereunder with respect to the following proposed transactions:

American Gas proposes to borrow from six banking institutions amounts not to exceed in the aggregate \$6,000,000 from time to time prior to July 1, 1952. Such borrowings will be evidenced by notes maturing 270 days after the date of issuance thereof and will bear interest from that date at the prime interest rate per annum in effect at the time of such issuance. The proceeds from the issuance of the notes together with cash funds available will be used by American Gas to make capital contributions to its electric utility subsidiary, Indiana & Michigan Electric Company ("Indiana & Michigan"), from time to time prior to July 1, 1952, in an aggregate amount not to exceed \$8,000,000.

The declaration states that Indiana & Michigan expects to complete a financing program during the first half of 1952 and that such financing program had originally contemplated the issuance and sale of long-term debt securities together with an additional investment in the equity capital of Indiana & Michigan by American Gas. Due to increased costs of labor and material and the need to acquire materials when available, Indiana & Michigan, it is stated, is requiring additional funds at dates earlier than originally contemplated. The proposed capital contribution by American Gas will, to the extent such capital contribution is made, be in lieu of additional

equity investment in Indiana & Michigan which American Gas would make in connection with the permanent financing of Indiana & Michigan as described above.

Notice is further given that any interested person may, not later than November 30, 1951, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter stating the reasons for such request, the nature of his interest and the issues of fact or law raised by such declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street, NW., Washington 25, D. C. At any time after November 30, 1951, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 51-13871; Filed, Nov. 20, 1951;  
8:48 a. m.]

[File No. 812-751]

EQUITY CORP. ET AL.

NOTICE OF APPLICATION

NOVEMBER 15, 1951.

In the matter of the Equity Corporation, American Installment Credit Corporation and American Wheelabrator & Equipment Corporation; File No. 812-751.

Notice is hereby given that American Installment Credit Corporation (AICC), 103 Park Avenue, New York, New York, filed an application under section 17 (b) of the Investment Company Act of 1940 requesting an order exempting from section 17 (a) of the act, the purchase by AICC of certain installment paper from American Wheelabrator & Equipment Corporation (AWECO), 400 South Byrkit Avenue, Mishawaka, Indiana.

The Equity Corporation, 103 Park Avenue, New York, New York, is a registered investment company which controls AICC and AWECO. AICC is principally engaged in the business of wholesale and retail automobile financing but also purchases installment paper. AWECO is engaged in the manufacture and sale of equipment used for cleaning machinery and of air conditioning and refrigeration equipment.

As of October 31, 1951, AWECO owned certain installment contracts, in connection with sales of its own products, having unpaid balances totalling approximately \$215,323. It is proposed that AWECO will sell and AICC will purchase such installment contracts at a discount rate of 2½ percent for all maturities.

Since the proposed transaction involves the purchase and sale of securities by persons who are affiliated with and controlled by the same registered investment company, such transaction is prohibited by section 17 (a) of the act

unless an exemption therefrom is granted by the Commission under section 17 (b) of the act. Accordingly, the application requests an order pursuant to section 17 (b) exempting the proposed transaction from the prohibitions of section 17 (a) of the act.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application which is on file in the offices of the Commission in Washington, D. C.

Notice is further given that an order granting the application, in whole or in part and upon such conditions as the Commission may deem necessary or appropriate, may be issued by the Commission at any time after November 29, 1951, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the Rules and Regulations promulgated under the act. Any interested person may, not later than November 27, 1951, at 5:30 p. m., submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 51-13872; Filed, Nov. 20, 1951;  
8:48 a. m.]

LOS ANGELES STOCK EXCHANGE

NOTICE OF PROPOSAL TO DECLARE EFFECTIVE  
A PLAN FOR DISPOSAL OF CERTAIN  
DOCUMENTS

Notice is hereby given that the Securities and Exchange Commission has under consideration a plan filed on November 8, 1951, by the Los Angeles Stock Exchange pursuant to section 240.17a-6 (Rule X-17A-6) under the Securities Exchange Act of 1934 for the disposal of all applications, reports, and documents which have been on file with that Exchange for more than five years, pursuant to sections 12, 13, 14, and 16 of the Securities Exchange Act of 1934, or any rule or regulation promulgated by the Commission pursuant to any of such sections. The Exchange proposes to commence disposing of the specified material as soon as practicable after the Commission has declared its plan effective. The plan also contemplates that thereafter regular disposition will be made annually of similar material which has been on file more than five years.

Information contained in the material proposed to be disposed of pursuant to the plan of the Los Angeles Stock Exchange is on file with the Commission where it will continue to be available.



The Securities and Exchange Commission proposes to declare the plan of the Los Angeles Stock Exchange effective on condition that if at any time it appears to the Commission necessary or appropriate in the public interest or for the protection of investors so to do, the Commission may suspend or terminate the effectiveness of said plan by sending at least ten days' written notice to the Exchange.

These proposals are made pursuant to the provisions of the Securities Exchange Act of 1934, particularly sections 17 (a), 23 (a), and 24 (b) thereof and Rule X-17A-6 thereunder. All interested persons are invited to submit their views and comments in writing to the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., on or before December 4, 1951.

By the Commission.

November 13, 1951.

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 51-13867; Filed, Nov. 26, 1951;  
8:47 a. m.]

## DEPARTMENT OF JUSTICE

### Office of Alien Property

[Vesting Order 18633]

#### LAENDERBANK WIEN AKTIENGESSELLSCHAFT

In re: Bank account owned by Laenderbank Wien Aktiengesellschaft. File No. F-6-1354.

Under the authority of the Trading With the Enemy Act, as amended, (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR, 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That the Dresdner Bank, the last known address of which is Berlin, Germany, is a corporation which on or since December 11, 1941, and prior to January 1, 1947, was organized under the laws of and had its principal place of business in Germany and is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany);

2. That Laenderbank Wien Aktiengesellschaft is a corporation which on or since December 11, 1941, and prior to January 1, 1947, was organized under the laws of Austria and had its principal place of business in Vienna, Austria, and is or, since the effective date of Executive Order 8389, as amended, and prior to January 1, 1947, was controlled by or acting or purporting to act directly or indirectly for the benefit or on behalf of the aforesaid Dresdner Bank and is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany);

3. That the property described as follows: That certain debt or other obligation of Guaranty Trust Company of New York, 140 Broadway, New York, New York, arising out of a blocked account in the name of Laenderbank Wien Ak-

tiengesellschaft and any and all rights to demand, enforce and collect the same, subject to any and all valid and subsisting liens of persons not nationals of a designated enemy country which were acquired prior to the effective date of Executive Order 8389, as amended, is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Laenderbank Wien Aktiengesellschaft, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

4. That the national interest of the United States requires that such person be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 13, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 51-13842; Filed, Nov. 19, 1951;  
8:51 a. m.]

[Vesting Order 18631]

#### MRS. ALFRED MUELLER AND DR. HANS VON FLOTOW

In re: Securities owned by and debt owing to Mrs. Alfred Mueller and Dr. Hans von Flotow.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR, 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Mrs. Alfred Mueller and Dr. Hans von Flotow, each of whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are, and prior to January 1, 1947, were, nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. Those certain bonds described in Exhibit A, attached hereto and by ref-

erence made a part hereof, presently in the custody of Swiss American Corporation, 30 Pine Street, New York 5, New York, in an account entitled "Comex, A. G. Basle Blocked Account", together with any and all rights thereunder and thereto,

b. Those certain shares of stock described in Exhibit B, attached hereto and by reference made a part hereof and presently in the custody of Swiss American Corporation, 30 Pine Street, New York 5, New York, in an account entitled "Comex, A. G. Basle Blocked Account", together with all declared and unpaid dividends thereon,

c. Voting trust certificate or certificates for forty-nine (49) shares of class B stock of the American Utilities and General Corporation, said voting trust certificate presently in the custody of Swiss American Company, 30 Pine Street, New York 5, New York, in an account entitled "Comex, A. G. Basle Blocked Account", together with any and all rights thereunder and thereto,

d. Warrants for subscription for thirty-four (34) shares of capital stock of Pennsylvania-Dixie Cement Corporation said warrants presently in the custody of Swiss American Company, 30 Pine Street, New York 5, New York, in an account entitled "Comex, A. G. Basle Blocked Account", together with any and all rights thereunder and thereto, and

e. That certain debt or other obligation of Swiss American Corporation, 30 Pine Street, New York 5, New York, arising out of funds in an account entitled "Comex, A. G. Basle, Blocked Account", together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Mrs. Alfred Mueller and Dr. Hans von Flotow, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that such persons be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 13, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Assistant Attorney General,  
Director, Office of Alien Property.



## EXHIBIT A

Description of issue:	Face value
New York Central R.R. Co., 4½ percent A/2013.....	\$1,000.00
Southern Pacific Co., 50-year 4½ percent 1981.....	1,000.00

## EXHIBIT B

Name of issuer	Type	Number of shares
American Television Corp....	Common.....	85
American Tobacco Co.....	do.....	13
Anaconda Copper Mining Co....	Capital.....	25
Arkansas Natural Gas Corp....	Class A common.....	90
Consolidated Natural Gas Co....	Capital.....	2
El Paso Electric Co.....	Common.....	6
Engineers Public Service Co....	do.....	23
General Electric Co.....	do.....	25
General Motors Corp.....	do.....	13
F. & W. Grand 5-10-25 Cent Stores.....	6½ percent preferred.....	25
International Nickel Co. of Canada.....	Common.....	17
I. Miller Sons Co. Inc.....	do.....	52
Missouri Pacific R. R. Co.....	5 percent preferred.....	49
Standard Oil Co. of New Jersey.....	Capital.....	13
Texas Co.....	do.....	13
Union Carbide & Carbon Corp.....	do.....	37
The United Corp.....	Common.....	218
Virginia Electric & Power Co....	do.....	41
Pennsylvania Dixie Cement Corp.....	Capital.....	17

[F. R. Doc. 51-13840; Filed, Nov. 19, 1951;  
8:51 a. m.]

[Vesting Order 18278, Amdt.]

## TOKIO AJIOKA

In re: Interest in real property and bonds owned by and debts owing to the personal representatives, heirs, next of kin, legatees and distributees of Tokio Ajioka, deceased.

Vesting Order 18278, dated August 6, 1951, is hereby amended as follows and not otherwise:

By deleting from subparagraph 2-b of said Vesting Order the number "52222" with respect to Tokyo Electric Light Company, Ltd., First Mortgage 1953, 6% Dollar Series, of \$1,000.00 face value, and substituting therefor the number "5222."

All other provisions of said Vesting Order 18278 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on November 13, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 51-13847; Filed, Nov. 19, 1951;  
8:52 a. m.]

[Vesting Order 18522]

## GOTTFRIED BECKER ET AL.

In re: Interests of Gottfried Becker and others of Düsseldorf, Germany, in a patent agreement of September 11, 1936, with Charles Alfred Bolton.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Gottfried Becker, Karl Daeves and Fritz Steinberg, whose last known addresses are Düsseldorf, Germany, are residents of Germany, and nationals of a foreign country (Germany);

2. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor), created in Gottfried Becker, Karl Daeves and Fritz Steinberg, by virtue of an agreement of September 11, 1936, by and between Gottfried Becker and Charles Alfred Bolton (including all modifications thereof and supplements thereto, if any) insofar as that agreement relates to United States Letters Patent, including, but not limited to, United States Letters No. 2,399,848, and applications for United States Letters Patent

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid nationals of a foreign country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 2, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 51-13899; Filed, Nov. 20, 1951;  
8:51 a. m.]

## YVES ANDRE ROCARD

## NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after

adequate provision for taxes and conservatory expenses:

## Claimant, Claim No., and Property

Yves Andre Rocard, Paris, France; Claim No. 40677; property described in Vesting Order 293 (7 F. R. 9836, November 26, 1942) relating to an undivided one-half part of all right, title and interest in Patent Application Serial No. 219,102 (now United States Letters Patent No. 2,312,822).

Executed at Washington, D. C., on November 14, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 51-13902; Filed, Nov. 20, 1951;  
8:52 a. m.]

## JEAN LEON VANCOPPENOLLE

## NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

## Claimant, Claim No., and Property

Jean Leon Vancoppenolle, Caen, France; (Claim No. 41403; property described in Vesting Order No. 293 (7 F. R. 9836, November 26, 1942) relating to Patent Application Serial No. 285,256 (now Reissue Patent No. 23,401).

Executed at Washington, D. C., on November 14, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 51-13903; Filed, Nov. 20, 1951;  
8:52 a. m.]

[Vesting Order 4819, Amdt.]

## I. G. FARBENINDUSTRIE AKTIENGESSELLSCHAFT

In re: Interests of I. G. Farbenindustrie Aktiengesellschaft in certain goodwill and trademarks.

Vesting Order 4819, dated April 14, 1945, is hereby amended as follows and not otherwise:

By deleting subparagraph 3 of said Vesting Order 4819, and substituting therefor the following:

3. That the property described as follows: All right, title and interest of whatsoever kind or nature, including without limitation any reversionary interest, under the statutory or common law of the United States and of the several States thereof, of I. G. Farben-



## NOTICES

industrie Aktiengesellschaft in and to any and all goodwill of the business in the United States of General Aniline & Film Corporation and in and to any and all registered and unregistered trademarks (including but not limited to Registrations Nos. 215,536 dated July 20, 1926; 218,962 dated October 5, 1926; 218,963 dated October 5, 1926; 219,143 dated October 12, 1926; 223,327 dated February 1, 1927; 224,730 dated March 1, 1927; 227,847 dated May 17, 1927; 229,097 dated June 21, 1927; 229,098 dated June 21, 1927; 234,585 dated November 1, 1927; 236,614 dated December 20, 1927; 241,490 dated May 1, 1928; 244,454 dated July 17, 1928; 245,872 dated August 21, 1928; 248,773 dated October 30, 1928; 251,450 dated January 8, 1929 and 266,994 dated February 11, 1930) and trade names appurtenant to said business, and in and to every license, agreement, privilege, power and right of whatsoever kind or nature arising under or with respect thereto,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 51-13901; Filed, Nov. 20, 1951;  
8:52 a. m.]

[Vesting Order 18627]

ITARU TACHIBANA

In re: Personal property owned by Itaru Tachibana, also known as Itaru Tatibana, as Mr. Yamada and as Mr. Yamato. F-39-2854.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Itaru Tachibana, also known as Itaru Tatibana, as Mr. Yamada and as Mr. Yamato, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Personal property presently in the custody of the Federal Bureau of Investigation, United States Department of Justice, at Los Angeles, California, as set forth below:

One (1) Carl Zeiss Ikon Camera, lens No. 2296583,

One (1) brown leather carrying case No. 7778176,

One (1) Kodascope 8, Model 70, Serial No. 10270,

One (1) Photostat Junior, Model 9 x 11, Type 101, No. 47,

One (1) Cine Kodak, 8 mm., Model 25, No. 49103,

One (1) black leather carrying case for Cine Kodak, 8 mm., Model 25, No. 49103,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on ac-

count of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 13, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 51-13900; Filed, Nov. 20, 1951;  
8:51 a. m.]